



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**NINTH ASSEMBLY**

**1 AUGUST 2018**

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## **Wednesday, 1 August 2018**

**MADAM SPEAKER** (Ms J Burch) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

### **Conflict of interest—standing order 156 and continuing resolution 5**

#### **Statement by Speaker**

**MADAM SPEAKER:** I wish to make a statement concerning a point of order that was raised by Mr Wall during consideration of the Work Health and Safety Amendment Bill 2018. Mr Wall's point of order related to the application of continuing resolution 5 of the members' code of conduct, particularly point 12, which states that members should actively seek to avoid or prevent conflict of interest or the perception of such a conflict. Mr Wall also referred to standing order 156 as to whether members of this place may in fact have a conflict of interest, directly or indirectly, that should or could preclude them from voting on legislation.

Can I draw members' attention to a ruling by Speaker Rattenbury on 25 March 2010 where, having been asked for guidance concerning a possible conflict of interest, he advised that it was not in the Speaker's power to make a decision on the matter, that it was up to the Assembly, and that the member raising the point of order would need to move a substantive motion seeking that certain members be precluded from the debate if they believed there were such a conflict.

Can I also remind members that, where members believe there is a breach of the code of conduct, there is a process outlined in continuing resolution 5A for that breach to be investigated by the Commissioner for Standards.

Finally, there was some discussion about whether debate could be adjourned after a member had indeed closed the debate. Standing order 65 does provide that, except for a member who has spoken to a question or has the right of reply, any member can adjourn debate. The problem last night was that there was no debate to adjourn, as standing order 49 stipulates that debate is closed after the mover of the original motion has replied.

Alternative methods to deal with the situation were for a member to seek leave to adjourn debate, or wait until the bill had progressed to the detail stage before moving to adjourn. I hope that clarifies the matters that arose yesterday evening.

### **Government Agencies (Land Acquisition Reporting) Bill 2018**

**Mr Coe**, pursuant to notice, presented the bill.

Title read by Clerk.

**MR COE** (Yerrabi—Leader of the Opposition) (10.05): I move:

That this bill be agreed to in principle.

I am pleased to present reasonable and practical legislation to force the government to publish its property deals. This bill introduces stronger and clearer reporting mechanisms to improve transparency, which I promised as one of my integrity measures in last year's budget reply speech.

The purpose of this bill is to improve integrity in land acquisitions. We previously introduced the Lands Acquisition (Reporting Requirements) Amendment Bill 2018 earlier in the year to address this issue. Since that time the Liberals have consulted with the government, and we are hopeful that they will now support this bill.

There are too many government land deals that have gone under the radar. This integrity measure is necessary because of issues surrounding land acquisitions made by the territory and its entities.

The Auditor-General, in her 2016 report *Certain Land Development Agency acquisitions*, highlighted that acquisitions had been “undertaken without adequate transparency, accountability and rigour”. Since the release of this report, the Auditor-General has undertaken investigations into the purchases of rural land leases and land swap deals. Canberrans are familiar with these issues, and it is clear that action is required.

There is substantial public interest in implementing effective mechanisms to ensure that land acquisitions are undertaken with due diligence. It is also reasonable to expect that the information relied upon when making these acquisitions is available for public scrutiny and debate.

This bill aims to provide the requisite transparency, accountability and rigour to all land acquisitions made by territory entities. This is achieved through requiring quarterly reports to be presented to the Assembly as well as the public accounts committee for additional probity. This two-tier level of scrutiny seeks to eliminate the opaqueness surrounding land acquisitions and ensures that the necessary protocols are indeed followed.

The Lands Acquisition Act is the key piece of legislation that governs land acquisitions by the ACT government. The processes for acquisitions by agreement and compulsory acquisitions trigger certain notification procedures. However, a number of acquisitions undertaken by the territory fall within the exceptions, such as acquisitions by negotiation. There are no stringent legislative reporting or oversight conditions for these types of acquisitions. Most acquisitions by the government are not reported on.

It is important to note that this bill does not impede the government's ability to purchase land. This bill is not unreasonable and it is not onerous. The bill simply

requires public reporting of the due diligence that should be undertaken prior to an acquisition being made.

Part 1 of the bill sets out preliminary matters, with the start date being 1 January 2019, to allow time for implementation and to begin reporting in a matter of months. Part 2 of the bill details the important concepts, outlining the meaning of the government agency and responsible minister in the context of the act. Part 3 is the most substantive element of the bill, setting out the requirements for the quarterly reports to be laid before the Assembly and the relevant committee.

Clause 7 outlines that within six sitting days of the end of the quarter, the responsible minister must present a report to the Assembly, if a reportable acquisition has been made. Within 10 working days of presenting the report to the Assembly, the responsible minister must also provide the relevant committee with a copy of the report which includes the withheld information from the public version. The relevant committee is either nominated by the Speaker or the committee of the Assembly responsible for public accounts.

Clause 8 details the contents of the quarterly report the minister must present to the Assembly. The report given to the Assembly must set out the interest in the land that was acquired, including the identification of the land, the government agency that acquired the land, and the seller if it was acquired from a corporation or other body.

The report must also describe the way in which the acquisition was made, and the act provides some examples. The compensation paid for the interest in the land, in addition to any other amount paid in relation to the acquisition, such as consultant fees or commissions, must also be included in the report. Information considered by the acquirer of the land in relation to determining the compensation and other amounts paid must be published, and this includes valuations and variations.

The report must state which minister, if any, considered the acquisition and where the acquisition was considered by cabinet, as well as who approved the acquisition and on what date. This information is not cabinet-in-confidence; it is simply factual information which can be and has been provided under the FOI Act, as well as through Assembly questions and committee processes. Canberrans deserve to know who signs off land acquisitions made with their public money, and they deserve to know when it was done and how much was paid.

The report must explain the reason for the acquisition in addition to how value for money was pursued in accordance with the Government Procurement Act 2001, section 22A. Further information on evaluation and planning for the site, including how the acquisition meets the requirements of the Planning and Development Act 2007, as well as the current and future status of the land under the Territory Plan and crown lease conditions, must be included. The report must also explain how the acquisition, including the intended use of the land, supports development that is in the public interest and is environmentally sustainable.

The report must include the information considered in relation to the acquisition, including any advice received from the Head of Service or any other government

agency, and all risk assessment made or received by the government agency in relation to the acquisition. If the acquirer is the territory authority, the report must set out how the acquisition upholds the statement of intent under the Financial Management Act 1996 for the territory authority. Furthermore the report must include anything prescribed by regulation. If the land was acquired for public housing, the suburb of the acquisition is the only detail that is required with regard to its location.

After consultation with the government, we have included different reporting requirements for easements. These are lower reporting thresholds which reflect the minor and necessary nature of easements in the planning context. A report for easements includes: identifying the particulars of the land; the government agency that acquired the land; the seller, if it is a corporation or other body; the method of acquisition; compensation paid in relation to the acquisition; and information considered during the acquisition, such as valuations. This streamlined reporting will assist the public service administratively and allow large volumes of information to be reported without undue burden.

Clause 10 sets out additional reporting requirements if the acquirer is the City Renewal Authority. In relation to acquisitions made by the CRA, the report must additionally explain how the acquisition complies with directions made under the CRA and SLA Act, the objects and functions of the authority, the statement of expectations, statement of operational intent, and anything else prescribed by regulation.

Similar additional reporting requirements apply if the acquirer is the Suburban Land Agency. In relation to acquisitions made by the SLA, the report must additionally explain how the acquisition complies with directions made under the CRA and SLA act, the objects and functions of the authority, and anything prescribed by legislation.

Clause 12 provides that this act is in addition to the requirements of any other territory law, and that if a minister is required to prepare a report about the acquisition of land, the minister may prepare a report that complies with this act and the other law.

The bill also makes changes to the CRA and SLA act 2017. Clause 12 omits sections 13 and 43 of that act as the proposed bill has higher reporting requirements and applies to acquisitions by the CRA and SLA.

Once again I wish to reiterate that this bill is not onerous. This bill ensures that there is some transparency with regard to government land deals. This is not going to fix all the integrity problems that this government has but at least it will give Canberrans some visibility about the property deals that are taking place.

The quarterly reports simply require the publication of the due diligence that any Canberran would expect to be undertaken before public money is spent. This is an effective mechanism that allows for multiple levels of scrutiny. This quarterly report process is an extension of current legislative probity requirements like those in the CRA and SLA act. It is a reasonable response to extend the scrutiny and probity to encompass all land acquisitions made by the territory and its entities.

This bill is necessary to ensure that integrity is paramount in all land acquisitions. I commend the bill to the Assembly.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (10.17): Before I move to adjourn the debate, I would note that this is the second attempt by Mr Coe to introduce such a bill. Contrary to his comments when presenting the bill, I note that, in the Lands Acquisition Act, in regard to declarations—

**Mrs Dunne:** A point of order.

**MADAM SPEAKER:** Mr Gentleman, please resume your seat. I will seek advice as to whether he can enter into debate.

**Mrs Dunne:** He can't adjourn the debate once he has spoken during the in-principle part. That is my point of order.

**Mr Coe:** So he has spoken in principle.

**MADAM SPEAKER:** Please repeat your point of order, Mrs Dunne.

**Mrs Dunne:** My point of order is that we are now actually having an in-principle debate, not adjourning the matter for discussion later. Mr Gentleman has now made an in-principle speech, and he will need leave, when we get to the in-principle stage of the debate, to speak again, and I am not entirely sure that he is able to adjourn the debate, having spoken to it.

**MADAM SPEAKER:** Thank you, Mrs Dunne. On the point of order, Mr Gentleman?

**MR GENTLEMAN:** On the point of order, Madam Speaker, I was interrupted before I was able to make a speech. Therefore I seek to adjourn the debate.

**MADAM SPEAKER:** That one will not fly, Mr Gentleman. I am just waiting for advice from the Clerk. Procedurally, what we need to do, now that the bill has been presented, is to adjourn debate. For anyone to make any further comment, you will need leave, but I think it is cleaner if we move to adjourn debate.

Debate (on motion by **Ms Cody**) adjourned to the next sitting.

**Mrs Dunne:** Could I clarify something, on a point of order, Madam Speaker?

**MADAM SPEAKER:** Yes, Mrs Dunne.

**Mrs Dunne:** When this bill comes back for debate on the in-principle stage, if Mr Gentleman wishes to speak in that debate, will he need leave? Mr Gentleman has already made two or three comments on the bill, two or three sentences worth of comment on the bill. Will he need leave to continue his remarks?

**MADAM SPEAKER:** The advice is that he will not need leave because in fact he was out of order to even start to debate it when he stood to adjourn debate. That is the advice I have. I am happy to reflect and reconsider when it comes back.

**Mrs Dunne:** Could you make a ruling that Mr Gentleman's comments were out of order?

**MADAM SPEAKER:** I will take some advice and when this comes back for debate I will provide further comment on it.

**Mrs Dunne:** Could I ask for your indulgence, Madam Speaker, so that, more proximate to the event—that is, today's event—you make a ruling? If you decide that what Mr Gentleman did was out of order, could you make the ruling now, or closer to this event, rather than when the bill comes back?

**MADAM SPEAKER:** I will make it today.

**Mrs Dunne:** Thanks.

## **Social housing**

**MS LE COUTEUR** (Murrumbidgee) (10.21): I move:

That this Assembly:

(1) notes that:

- (a) Canberra now has the equal highest rent for houses in Australia, and the second highest rent for units;
- (b) the ACT has the highest proportion of people in the private rental market who are still in rental stress after receiving Commonwealth Rent Assistance of any jurisdiction;
- (c) the proportion of dwellings managed by community housing providers in the ACT is modest compared to other jurisdictions, and the sector has not been growing at the same rate as their interstate counterparts; and
- (d) community housing organisations are well placed to play a strong role in meeting the housing needs of the growing number of Canberrans who are in housing stress;

(2) further notes that:

- (a) the amount of social housing in the ACT has been falling as a proportion of overall housing stock for two decades;
- (b) new social and affordable rental stock is not being added at a rate that maintains the amount of social and affordable stock as a proportion of overall housing stock;
- (c) private investors can play an important role in adding to affordable housing in the ACT;

- (d) some private investors may be motivated by social responsibility or altruism as well as maximising financial returns; and
  - (e) property investors that rent their dwellings at below market rent via a community housing provider may also be able to access an additional discount to Capital Gains Tax, from 50 to 60 percent, as part of a recent Federal Budget initiative, the enabling legislation for which is currently before the Senate; and
- (3) calls on the ACT Government to consider:
- (a) providing an exemption from land tax for residential property investors that rent their property to low and moderate income households at a discount to market rent through a not-for-profit community housing provider that is regulated under the National Regulatory System for Community Housing;
  - (b) providing a last resort Government rent guarantee to property investors that rent their dwellings through a not-for-profit community housing provider that is regulated under the National Regulatory System for Community Housing;
  - (c) allowing community housing providers to access rates rebates for properties where the tenants would be eligible for such rebates if they were home owner; and
  - (d) report back to the Assembly by the end of the October 2018 sitting period.

Canberra is in the grip of an affordable housing crisis. Canberra now has the equal highest rental prices for detached houses and the second highest rental prices for units in the country. This is not something to be proud of. And although Canberrans earn higher wages than people in other jurisdictions, we have the highest proportion of people living in rental stress after receiving commonwealth rent assistance. Again, that is not something to be proud of.

Before I go on, I should note that I have a longstanding interest in this matter. In 2006 I rented my former home at a discount to market rent via Community Housing Canberra. They suggested to me that other people might also be prepared to rent their house at an affordable rent if they did not have to pay land tax. As a result of that, the parliamentary agreement with the Labor Party of the Seventh Assembly committed the government to develop a land tax concession scheme for rental properties housing low income families by 2010. Unfortunately, this was not done.

I now own two properties that I used to live in and are now rented. One of them is rented out at less than market rent via a program of Migrant and Refugee Settlement Services. My colleague Mr Rattenbury also rents out a property through MARSS at less than market rent. Given the members code of conduct, I sought advice from the Clerk as to whether or not I can vote on land tax issues, as of course I pay land tax. He advised me to disclose my situation to the Assembly, which will make a decision on whether or not it is reasonable for me to be able to vote. He also informed me that six other MLAs or their spouses have properties noted on their declarations of interest that would be liable for land tax.

More people are renting. The latest household income and labour dynamics in Australia survey, the HILDA survey, was released yesterday. In 2016, 28 per cent of people in Australia lived in private rental accommodation, up from 23 per cent in 2001. This was largely driven by falling rates of home ownership among young adults. The HILDA data shows that the proportion of households in housing stress continues to increase and that single-parent families have the highest rate of housing stress of any household type. Household disposable income has also stagnated in the past decade. Of those who are renting, more are also living in share housing, not as a transitional form of housing but because it is a more affordable option. Many people are returning to or living in share housing for the first time once they get older.

Another report was released yesterday. Titled *Inequality in Australia* and produced by the Australian Council of Social Service and the University of New South Wales, this new publication examines the intersection between poverty, inequality and housing. The report confirms the shift in wealth from younger to older Australians between 2004 and 2016. Much of this can be put down to a decline in home ownership rates among younger people and the increase in wealth associated with housing assets.

For people on low or moderate incomes who rent, it may never be feasible to become home owners. It is incumbent on us, as policymakers, to create solutions that will go some way towards alleviating stress for renters, not just for home owners. This motion provides some options to help achieve this.

Before talking about the motion, I want to acknowledge the interesting work that the Liberal Party's spokesperson on housing and planning, Mark Parton, has done. This clearly is something that he has put considerable energy into. Some of the people whom I have been consulting with in developing the motion were also consulted by Mr Parton. I thank him very much for his interest in this and support for what seems to me to be an entirely reasonable idea.

This motion seeks to redirect some of Canberra's existing houses to affordable rentals. It offers potentially one of the fastest and most cost-efficient ways of expanding affordable housing in Canberra.

This motion has three calls. The first involves providing an exemption from land tax for residential property investors who rent their property to low and moderate income households at a discount to market rent through not-for-profit community housing providers. Incidentally, former ACT treasurer Ted Quinlan's review of the ACT taxation system in 2012 recommended abolishing land tax in its current form. Housing owned by community housing providers is not subject to land tax, so it is a logical extension to exempt properties managed by them for affordable rentals from land tax.

I have been asked why anybody would rent out their house at less than market rent. There are two answers. First, not all landlords are money hungry. Many people are in fact philanthropically minded. Many may see a scheme as an opportunity to do direct, visible, local philanthropy where they know what outcome is coming from their financial input.

The second reason is that many people who own a second dwelling did not originally get it to maximise income. Sometimes a new house means that there is effectively a household that is not needed or there has been an inheritance. We in Canberra also have people going overseas for a few years on DFAT postings. These families have their rent paid on the posting and they just want to move back into their house when they return. For each of these scenarios, property owners might well be incentivised to forgo some rental income in exchange for having their land tax waived.

It would be remiss of me not to respond to some of the criticism that this proposal has received. It will not result in landlords getting richer. I need to make that very clear. Typically the gap between market rent and affordable rent—affordable rent is defined at 75 per cent rent in Canberra—is around \$5,000 or \$6,000 per annum whereas land rent is only around \$2,000 to \$3,000.

We went through a survey of about a dozen houses from Allhomes, and we found that except for one, which was a house in the inner north where the land value was high but clearly the house was falling to pieces, the land tax is equivalent to a bit less than half of the rent forgone if you rent at a market rate. I need to make this very clear. Under this proposal, it would be cooperation. The landlords would take a financial hit, as would the ACT government by not receiving land tax on those buildings. But there is someone who would not have a financial hit: the low income tenant. That is the person working in hospitality; that is the person who is cleaning our buildings; that is the single mother who has not got the resources to pay full market rent. There are a lot of people in Canberra who would benefit from this.

Anglicare's recent survey found that there was basically nothing for people on minimum wage or Centrelink payment in the ACT to rent privately. The thrust of my motion is to change that deplorable situation.

The Real Estate Institute of the ACT has questioned why this scheme should be run by community housing providers rather than their members. The reason for community housing providers to do it is that community housing providers are not-for-profit organisations whose charitable purpose is to alleviate housing poverty for people in housing need. And they are regulated by a strong regulatory system, the national regulatory system for community housing. The system covers a very wide range of areas, including minimum standards for tenant satisfaction, arrears and responsive and cyclical property maintenance. Community housing providers also have systems for tenant selection to ensure that properties are rented to eligible low and moderate income households, and systems in place for determining and verifying fair market rent, which the rents they charge to tenants are based on.

In short, they have the required social mission, the required expertise and the regulatory framework to protect this investment and make sure that it is not something that can be rorted, unlike some other affordable housing schemes that we could talk about.

I point out that this is not a particularly new or different policy from many that have been tried and tested over the years in different jurisdictions. Community housing providers have headleased housing stock from the private rental market in a number

of jurisdictions, notably a large program in New South Wales. For those of you who are not into housing jargon, headlease means that the organisation, the community housing provider, has a lease with the person who actually owns the property but on-leases it to someone else, the low income earner. That is a headlease.

In Victoria there are two different government-backed headleasing programs: one for housing stock that will be rented to people who are at risk of or are leaving homelessness, the other for women escaping domestic violence. Both programs involve registered community housing providers. Likewise, the Tasmanian government have just announced a government-backed headleasing program to tackle their severe shortage of affordable housing.

The second call is on the government to provide a last-resort government rent guarantee for property investors to participate in the program. Similar guarantees have been operated in other jurisdictions where private stock is headleased by community housing providers, so again this is not particularly new or radical. Given the strong record of community housing providers whose regulation requires very low vacancy and arrears rates, I do not imagine that it is going to need to be used, but it is a component to build confidence among property investors.

The third call is to allow community housing providers to access rate rebates for properties where the tenants would be eligible for such a rebate if they were home owners. If an older person or a person with a disability who would be able to access rate rebates if they lived in their own house lives in a dwelling managed by a not-for-profit community housing provider, it seems to me only reasonable that the ACT government should extend the same consideration for the community housing provider as it would to the home owner if those people were fortunate enough to be home owners. I am aware of one community housing provider, ECHO, that spends 25 per cent of its budget on rates.

The result of this motion, if successful, will be a more equal treatment of properties from a land tax and rate point of view which will be based on how they are used, not so much on who owns them. If a community housing provider acquired more properties and rented them out to eligible tenants, they would not pay land tax. If they manage affordable rental from a private landlord, land tax is paid under the current rules. My motion would fix this inequality as well as the inequality between community housing tenants and low income home owners re rates.

These measures are not silver bullets; they are not by themselves going to solve our housing affordability crisis. They will, however, represent a very modest financial commitment from the government which has the potential to leverage a much more significant financial commitment from private landlords in the ACT. This is something that should be a win-win. To my mind, the only surprise is that we have not done this before.

The outcomes of this motion, assuming it is passed, will dovetail neatly with the operation of the affordable rental real estate management model, which should receive funding through the affordable housing innovation fund, part of the parliamentary agreement. I understand from comments made by the housing minister, reported in

yesterday's *Canberra Times*, that the successful provider of this service may be announced in coming weeks. If that is supported, it will serve as an adjunct to some of the more wideranging and structural changes that I very much hope we will see in the forthcoming affordable housing strategy. Given that many of these, especially if they relate to land release and rezoning, are likely to bear fruit in the medium term, more modest measures such as this one have the potential to get some runs on the board relatively quickly and make a real and immediate difference to people who are struggling to pay rent in the ACT.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (10.35): I thank Ms Le Couteur for bringing this motion forward today. Madam Speaker, I have circulated an amendment to Ms Le Couteur's motion.

**MADAM SPEAKER:** You need to move the amendment.

**MS BERRY:** I move:

Omit all text after paragraph (2)(e), substitute:

- “(f) the Government has been considering in excess of 100 suggestions for policy initiatives received through its housing summit and extensive consultation, summarised in the ‘What We Heard’ engagement report, including proposals for tax incentives to increase the supply of affordable housing;
- (g) through the Parliamentary Agreement, the Government committed to establishing an affordable rental real estate initiative, based on HomeGround, through which investors can offer rental properties at below market rent to low income tenants; and
- (h) the Government has established a \$1 million Affordable Housing Innovation Fund to facilitate the affordable rental real estate initiative and other options to improve access to affordable housing; and

(3) calls on the ACT Government to:

- (a) announce the outcomes of the recent expression of interest process which sought a provider/s for the affordable rental real estate initiative as soon as possible once the process is complete; and
- (b) investigate incentives to build on this initiative and further support affordable rental housing supply, including:
  - (i) land tax concessions for residential property investors who rent their property to low and moderate income households at a discount to market rent through a not-for-profit community housing provider which is regulated under the National Regulatory System for Community Housing; and
  - (ii) rent guarantees for property investors who rent their dwellings through a not-for-profit community housing provider which is regulated under the National Regulatory System for Community Housing;

- (iii) rates rebates for community housing providers for properties where the tenants would be eligible for such rebates if they were home owners; and

(c) report to the Assembly by the end of the October 2018 sitting period.”.

The government has been exploring a number of options that have been raised during the extensive community consultation at the housing and homelessness summit held last year, a summit that Ms Le Couteur attended. The particular focus of today’s motion was raised at the summit. It is outlined in the strategy engagement report that I tabled in the Assembly earlier this year.

A range of ideas was brought forward to increase options for affordable renting in the ACT. These included financial levers and incentives to increase the building of affordable rental properties or to make existing rental properties more affordable; ways to assist community housing providers to access land that might assist community housing providers to develop more properties; build-to-rent models for affordable rent; sustainability measures that may help with more affordable living costs; and Residential Tenancies Act amendments that might support greater security and protection for tenants.

Ms Le Couteur suggestion today is to make a decision about implementing a policy without having had genuine conversation. This is what I have been doing with the community over the past 18 months. It is to consider all of the ideas they have come up with and delivered at the housing strategy. I have outlined these in the paper. I have also brought together a group of individuals to assist me in bringing all of these ideas to the government to consider as I develop a strategy that will be released later this year.

Of course, the government has not been sitting around in the meantime waiting for something to happen. We have been very busy after the summit and I have announced a range of early initiatives, including the affordable home purchase database and targets for social and affordable housing in the land release program, as well as the \$1 million innovation fund.

The innovation fund was developed to help proposals to increase affordable rentals in the ACT that have been in operation in other jurisdictions, such as the HomeGround real estate model. Offering tax exemptions to property owners who participate in this scheme would support the operation of this model and this proposal is being considered as part of the strategy.

Other initiatives for consideration under the innovation fund include a home share scheme, support for co-housing and options to increase affordable rentals for disability accommodation and families escaping family violence. An announcement for funding under year 1 of the innovation fund, as Ms Le Couteur has noted, will be made very soon.

As I have said in this chamber before, I did not want to release just a glossy document and then be done with it. I want the strategy to be the right one that will outline

measures that will have a lasting and meaningful impact on housing affordability in the ACT.

But, Madam Speaker, let me make this very clear: I believe in strong public housing. Public housing in the ACT supports over 20,000 people and makes up around 10,600 households in the ACT. This year, 99 per cent of public housing properties were allocated to those in greatest need. The ACT has the highest rate of public housing of all states and territories, almost double the national rate.

Other jurisdictions have seen public housing reducing over the years due to stock transfers to community housing or sell-offs, but in the ACT we have maintained that high rate as we have kept the vast majority of public housing in government hands. Whilst a new strategy will set the course for the ACT to address housing affordability, it will not change my commitment to see public housing grow in the ACT.

Ms Le Couteur has been on the record for some time now calling on the ACT government to build more public housing, and we do. We are continuing to build more public housing; we are continuing to renew public housing so that it is suitable and sustainable—affordable to heat and cool—for public housing tenants in the ACT.

But now she wants the funding that goes towards building public housing to be put into the pockets of landlords who are already getting a very generous tax benefit. Of course, this is a win-win for landlords who are already getting a tax benefit. That is why I have put forward an amendment that says to the Assembly that we will announce the outcomes of the expression of interest process, which sought providers for the affordable rental real estate initiative, as soon as possible once the process is complete.

Once that process is complete, we will announce that. Ms Le Couteur is right. Not all landlords are bad. This gives the opportunity to those good landlords who want to give opportunities to low income earners, people who are on lower incomes, to rent their homes at below market rent. This has been a relatively successful program in Victoria. We hope that in the ACT's affluent community more people will come forward and offer up their homes in this way.

We are also investigating incentives to build on this initiative and further support housing supply, which includes land tax concessions for property investors who rent their property to low and moderate income earners, in addition to rent guarantees for property investors and rates rebates for community housing providers.

Madam Speaker, I am very happy to report back to the Assembly by the end of the October 2018 sitting period.

**MR PARTON** (Brindabella) (10.42): I wish to speak briefly, Madam Speaker. We will not be supporting the amendment. I know that Ms Le Couteur knows exactly why we will not be supporting it. It is because we were quite happy with the vast bulk of the original motion. I would hate to see a situation here where we are all aware of the amendments that I was intending to bring to this place and we are all aware that it

would have been extremely possible—indeed, just doable—to get this motion up as it was originally written and, indeed, somewhat strengthened with support from this side of the chamber.

Many times in this space and in political spaces around the country I hear people say, “I thought I had an agreement with the Greens.” Sometimes we see the Greens let people down. I think it would be extraordinary if Ms Le Couteur ratted on herself here because we have so many people who think that this is, first, a wonderful idea but, second, an idea which is not going to change the world.

We have heard about the mathematics of it. We have not heard exactly how many properties would be involved, but we know that this is really only going to apply to stand-alone houses in the inner north and inner south—old houses where the land tax component is sufficient to bring that rent down to an affordable level and for the owner of that house to finish up pretty much square. No-one is going to make money out of this, despite what Alex White might think.

It would be a bit crazy if there were all these people in the community who had echoed these thoughts in the public space, all these people who said that this is a really good idea but, at the end of the day, when push came to shove and we had to vote for something, Ms Le Couteur was not one of them. I think that would be really sad. I think that would be really sad. Ms Le Couteur did not need Labor if she really wanted to make a difference in this space and she knows it. We will not be supporting the amendment.

**MADAM SPEAKER:** Ms Le Couteur, are you moving your amendment to Ms Berry’s amendment?

**MS LE COUTEUR** (Murrumbidgee) (10.45): Yes. I move the following amendment to Ms Berry’s amendment:

Omit all text after paragraph (3)(b), substitute:

“(c) report to the Assembly with an implementation plan that includes information about cost impacts and viability of these measures, as well as detail on feedback from the community sector, community housing providers, and the real estate and property sector by the end of the October 2018 sitting period.”.

I point out one small problem that Ms Cheyne kindly pointed out to me. The mathematics are not quite right. I thought I had the first motion today but, of course, technically I did not. Mr Coe did. So it actually should be notice No 2 at the top of the amendment that was circulated to members. Nonetheless, the substance has not changed.

As Mr Parton has alluded to, there has been considerable discussion about the best way of presenting this motion because we are well aware that the housing minister is working hard on a housing affordability strategy. I suppose that part of the reason this motion has come about is because we were all hoping it would happen a little sooner.

We are trying to think, “What can we do in the meantime, in the short run, that is not very complicated?” We know that there is a major problem that needs to be addressed sooner rather than later. That is why I put forward my motion, which I am really hopeful will be passed in some form or other. That is why I am suggesting an amendment to Ms Berry’s amendment.

My amendment just makes it clear that because we know there is work being done—I think Ms Berry’s amendment said there are in excess of 100 suggestions—we thought, “Okay, the government has done a lot of work. This is really great. But, given that is the case, we need to be clearer about the reporting back.” Given all the work that has been done, I cannot see why we should not be able to do an implementation plan for the suggestions. This implementation plan could include things which are contingent on other things.

It may be that the implementation plan says it would make sense to do these things after another measure. I do not know. Obviously, I do not know what the implementation plan would be. But I do think that we need to start looking at our housing affordability a bit more positively and proactively and say, “We actually need to change. We actually need to implement some plans to do something.”

I am very pleased that the government has put a lot of effort into consulting and talking to the community. I thought the housing summit last year was a really great outcome. I was very privileged to be able to attend all of that summit. There were so many brilliant ideas there. I really hope that the vast majority of them are implemented.

The reason I did not go for implementing one of the other brilliant ideas is because most of them were a lot more complicated and innovative. We were not in a position to say, “This is an idea which has been thought about for a long time.” Back in the Seventh Assembly it was part of the parliamentary agreement to actually do it. Unfortunately, that did not happen at the time.

Appreciably, also, Ted Quinlan, the former Labor treasurer, has noted that land tax is a potentially inequitable tax, given that it is only levied on rental properties and the justification for that is very complicated. It is a long discussion in terms of where the taxation burden is, comparing the federal government and the ACT government.

I contemplated writing a motion entirely about land tax and whether it was equitable. I think that is a discussion to be had but I decided, “Let’s go for just a small target that is pretty noncontroversial,” because community housing providers already get land tax exemption. That is what we should remember when looking at this motion.

If a community housing provider owns the property, they already have this exemption. It applies if they headlease some properties from private landlords such as myself. I acknowledge that I am one of the people who potentially could be impacted by this motion. I want to make that abundantly clear. However, I reject the criticisms of Alex White. For most landlords, land tax is not equal to the difference between affordable rent and land tax.

As Mr Parton said, this is hopefully something where there is a degree of furious agreement between all three parties that we need to improve the situation for low income tenants in the ACT. But what is getting in the way of a smooth outcome today is that we are three different political parties and our communication is not as good as an idealistic Green would like it to be.

I guess I have probably said as much as I can say on this. I am confident that in the end the Assembly will pass a good motion on land tax. I am not exactly sure what the pathway to that is going to be at this stage. But I commend my amendment to the Assembly. I hope that out of all this sausage factory process we will end up with a very good outcome.

**MS CODY** (Murrumbidgee) (10.52): I am standing here today because—

**Mrs Dunne:** Because the CFMEU bounced Simon Corbell in favour of you.

**MADAM SPEAKER:** Mrs Dunne, there is no need for those sorts of comments across the chamber. Thank you, Ms Cody; have the floor.

**MS CODY:** Thank you, Madam Speaker. I am standing here today because I will be supporting Ms Berry's amendment to Ms Le Couteur's motion, which calls on the government to consider ways to improve the affordability of housing. We all agree on that, and it is a very important point. We should be thinking about how to make housing more affordable. Affordability matters. It is important to consider the impact that rates and taxes have on affordability, and the motion suggests a way in we could alter tax policies to make housing more affordable. But does it?

Ms Le Couteur's motion seeks to increase the number of affordable properties, a worthwhile idea. But in order to achieve this it proposes a tax break to those who do not need it: property investors. Let me give an example from my own experience. On my disclosure of interest, which is publicly available on the Assembly website, I outline my financial circumstances, including the mortgage on my house. Every member of the Assembly makes these disclosures and I note Ms Le Couteur mentioned her disclosure this morning and the number of properties she has listed.

Ms Le Couteur's original motion will not have an impact on owner-occupiers such as me or others in that same situation in the Assembly except perhaps to increase demand by investors and push up prices. The only tax change being proposed in the motion is a tax waiver for people who own an investment property. I have nothing against people having a nest egg, but as we have seen in the federal debate about negative gearing, our nation has a problem with greedy property barons with maybe five or a dozen houses to their name.

People using negative gearing and tax breaks to rot the system whilst others cannot afford a house at all is not a good thing. To give a tax break specifically to property investors so they can buy more property will put upward pressure on housing prices, putting the deposit on somebody's first home further and further out of reach.

Property investors who want to rent their property at affordable rent rates are doing a really good thing. In fact, if you have a rental property that you want to rent to somebody at an affordable rate you can do it yourself or you can give it to a community housing provider, as we have heard already. But should government be subsidising wealthy investors who choose to do that? Is that the best use of government money? Would this see a transfer of stock into community and affordable housing? How would this impact current tenants? I am not convinced.

Given the constraints the government must work with there are lots of other things we could do to respond to the inequities of the housing market rather than give a tax break to wealthy property investors. I am voting for Ms Berry's amendment because it calls on the government to consider actions to address housing affordability. I guess they should consider a tax cut for the charitable actions of a property investor. Much as federal Labor has had the courage to stand up to millionaire property sharks on negative gearing and capital gains changes, I hope that ACT Labor members of the government consider the views of millionaire investors and correctly prioritise working and middle-class people above them.

It is interesting that the motion highlights the tax minimisation strategies a property investor could take advantage of if they participated in such a program. In fact, the ACT Greens seem to now be supporting an increase to the capital gains discount, a policy I am fairly certain they have promised to abolish federally. If you ask me, there are better, more targeted things we should spend the money on, and I will be making that clear to my colleagues in the future.

I thank Ms Berry for her amendment to this motion. I think it goes a long way to helping address housing affordability in the ACT.

**MR PARTON** (Brindabella) (10.58): I was both overjoyed and bitterly disappointed that Ms Le Couteur brought this motion to the chamber: overjoyed because it seemed like such a great idea because if this were implemented it would have a positive impact for some individuals and families in what is the toughest city to rent in Australia; and bitterly disappointed because my office had been working feverishly to bring a motion to this chamber that was pretty much exactly the same.

Ms Le Couteur and I were sitting in the planning committee last week. We were about to get into secret committee business and Ms Le Couteur leaned over to me and said, "Hey, I've got a rental affordability motion that I'd like you to have a look at to see if it might get your support." We agreed to meet after the committee. I said to Ms Le Couteur, "I fear it could be exactly the same as ours," and I was correct. When we initially discussed it up on the top floor I went down to my office and retrieved our draft motion which we had initially been planning to get up this week. We compared notes and for a moment—just for a moment—there was a discussion about the prospect of a co-sponsored motion. Who suggested that? It was Ms Le Couteur.

I rejected that option simply because it was clear the Greens had been working on this motion for a little longer than we had; not much longer, but a little longer. They had done some crude modelling, more than we had. It must be said that we genuinely

shared stakeholder consultation on this motion in that my office consulted with the Real Estate Institute. It is my understanding that Ms Le Couteur's office did not, and we invited Ms Le Couteur to attend that consultation but unfortunately she was busy with some other things.

When the story of this motion appeared in the media I received calls and messages from a number of people who were well aware of our plans and they wanted to know why the Greens had stolen our motion. I assured them that this was not the case; it was just a case of great minds think alike.

One of the things you can be certain of in the realm of Australian politics is that if a Liberal member and a Greens member come to the chamber with exactly the same motion, you can be pretty sure that it is a pretty good idea. Additionally, if a union chief then comes out and says this is a regressive neo-liberal trickle-down proposal from the ACT Greens you can just say this is a damn fine idea.

I flippantly referred to myself and Ms Le Couteur as great minds. The reality here, as she has explained, is that the idea did not come from us; it has come from people in the affordable housing sector. It is not new; there have been all sorts of submissions and all sorts of talk. There was a submission from the YWCA at a recent committee hearing. It is something that my friend Travis Gilbert at ACT Shelter has been spruiking. It is a hobby horse of Andrew Hannan from CHC, and I thank Andrew for all of his assistance with the preparation of our motion which has been superseded by this one.

I am disappointed that my amendments are going to be superseded and that we are not going to get to them. I am disappointed that they cannot be implemented. As I said earlier, Ms Le Couteur did not need Labor if she really wanted to make a difference in this space, and she knows it. She knows a genuine crossbench needs to find a backbone and find some independence to get things done. Our amendments would have strengthened this motion and got it done.

I do not care who gets a political win out of this. I do not care about the optics; all I care about is delivering good policy, easing the burden on the traffic jam which is ACT Housing, and allowing a number of individuals and families to live their lives without the panic of how they are going to pay the bills. It is of no consequence to me that this is a Greens motion. Throughout the process we were genuinely focused on just getting something done.

**Ms Le Couteur's** amendment to **Ms Berry's** proposed amendment agreed to.

**Ms Berry's** amendment, as amended, agreed to.

**MS LAWDER** (Brindabella) (11.03): I rise to reiterate some of the comments that have been made today and very much agree with them. The community housing sector and a number of organisations have advocated for years for the types of measures proposed in Ms Le Couteur's original motion. Most recently, for example, we heard from the YWCA on the community day of estimates hearings where they talked about this type of occurrence as well.

It is something people in the community housing sector can see as one part of the complex jigsaw to address housing affordability here in the ACT. Because it is complex; there is no one magic bullet. If it were easy it would have been done long before now. But what is also the truth is that the government's policies over the past 15 and more years have contributed towards housing unaffordability.

This one small measure today from Ms Le Couteur could have been a little drop in the ocean towards addressing the affliction that many in our community face every day: housing affordability, whether as a buyer or a renter but, in this case, more about renting. Despite Mr Parton feeling he had a form of agreement with the Greens about who might support the motion, the Greens knew what the government might be proposing and once more have acted as part of the government by backing up the government amendment. This is what we see time after time: not a crossbench in the true sense but acting as the government. Sadly, that is what has happened today.

The amended motion has some good elements to it, and I for one very much look forward to what the government is going to come out with in the report after the engagement that has been ongoing for quite some time. I am cautiously optimistic—not necessarily confident—that at long last something might take place where this government will help to use the policy levers they have to address housing affordability, of course supported by the Greens, who are absolutely in lock step with the government as part of the government. That has been demonstrated once again today.

On our side of the chamber we are always surprised about that and, in some ways, I am surprised that we are surprised, because it is a pattern of behaviour that happens over and over again, even when we feel that we have some agreement. There were some excellent points in the original motion. Once again, the government has worked in collusion, in lock step, with the Greens to get through a slightly watered down version which does not commit to the action called for in the original motion. I suspect Ms Le Couteur knew all along that that is what was going to take place.

**MS LE COUTEUR** (Murrumbidgee) (11.07): What we have got to is an improvement on my original motion, which called upon the ACT government to consider a range of things, whereas the amended motion talks about investigating incentives and is much clearer about what has to be reported back. I know this is potentially just semantics and, as I said earlier, I am very thankful for the support on this of the Liberal Party and, in particular, the housing spokesperson. I regret the process we have been through over the past couple of days where there was a considerable amount of poor communication.

But the positive thing is that it is very clear that all three parties in the Assembly think that changes in land tax to enable affordable housing are a good idea. Thus, we can be confident that this will be implemented very soon. I hope that the implementation plan that comes back from the government in October will be fairly forthright. I understand that this will be quite an easy thing to do; I do not think it needs legislative change. It could probably just be a disallowable instrument. It will have to be moved, I believe, by the Treasurer to change the rules for the land tax, but it will be very simple to do.

I look forward to positive changes for housing affordability in the ACT. I thank my colleagues for their considerable patience in this process and their support.

Original question, as amended, resolved in the affirmative.

## **Declaration of member's interests**

### **Statement by member**

**MS CODY** (Murrumbidgee) (11.10), by leave: Last night in a speech I gave in this place I noted that I had declared all my interests. It has been brought to my attention when I checked last night that on my declaration of public interest there was an omission of the CPSU. That has now been rectified and has been included in my public interest disclosure.

## **Health system—bullying**

**MRS DUNNE** (Ginninderra) (11.11): I move:

That this Assembly:

(1) notes:

- (a) recent media reports about bullying in the ACT health system, in both the public and private sectors;
- (b) bullying has extended to patients, and their carers and families;
- (c) claims that bullying has been the primary cause of mental health problems for people currently or formerly engaged in the ACT health system;
- (d) some victims of bullying have committed, attempted or threatened suicide or other forms of self-harm, attributing bullying as the primary cause of their actions;
- (e) the Minister for Health and Wellbeing has made public statements that the Government has zero tolerance to bullying and that there are safe and respectful pathways available to people wishing to complain about bullying;
- (f) the Minister's statements do not appear to bear out the reality;
- (g) there are significant psychological risks to the community-at-large from the impact of bullying on victims and associated persons;
- (h) mental health problems occurring as the result of bullying are preventable; and
- (i) the cost of treating preventable mental health problems is a significant drain on the ACT Budget; and

(2) calls on the Executive to:

- (a) by 31 August 2018, consult with the Opposition and the Crossbench on and finalise terms of reference and appointees for a board of inquiry under the *Inquiries Act 1991* (the Act) to investigate bullying in the ACT health system; and
- (b) during the September 2018 sitting period, table an instrument of appointment in accordance with section 5 of the Act.

This motion to establish a board of inquiry into bullying in ACT Health is particularly close to my heart. I am doing this for a variety of reasons. I think I should tell a story to give some real background. Recently one of my staff took a long and very harrowing phone call from a constituent who had worked in the ACT Health system. I will not reveal this constituent's name or gender. For the sake of the story, let us assume that this person is called Charlie. Charlie's phone call was two days before the first anniversary of the date in which they planned to attempt suicide.

This person, Charlie, had made very careful plans, but something intervened and he did not follow through with his plans. The preparations were comprehensive, right down to getting his finances in order, executing a will, packing up his house, leaving the keys for the car on the kitchen table, and even arranging for someone to look after the dog.

Charlie had worked in the ACT health system for a long time and had reached a position of leadership. Charlie had good relationships with colleagues and had been responsible for improvements in the way things were done in the area in which he worked. But for most of that time, Charlie had suffered unrelenting bullying and intimidation. Charlie had moved around to try to escape the bullying. Ultimately, however, it was the bullying that forced Charlie out of ACT Health.

Since then Charlie has not been able to get another job. He is under serious financial stress and very close to the point of losing his home. His kids, aged under 10, have even offered him the contents of their piggy banks to help him. My staff member asked Charlie whether there were other contributing factors to his plan to suicide. He said that there were, but that the bullying and intimidation that he had endured during years in ACT Health accounted for about 95 per cent; that and the shame and embarrassment he has suffered since his career was destroyed.

Charlie continues to feel totally gutted. During that phone conversation, both Charlie and my staff member were in tears. Afterwards, my staff member was unable to function for the rest of the day. I am pleased to report back to the Assembly that since then, through further contact with Charlie, we have learnt that he is now on the road to recovery having secured at least a casual job.

A concerning element of this bullying and intimidation seems to have been budget driven. It is well-known that two main cost areas in organisations are wages and accommodation costs. The easiest path to achieving budget cuts is to cut staffing costs. We all know that there are legitimate means of doing that through redundancies and restructures. But that approach takes you to a certain point only. Once the redundancy budget is reached, it becomes necessary to find other means.

A couple of ways have been identified for doing that: one is to try to discredit your staff. You look for enough dirt on them. You try to performance review them, and you push them out through performance review. Alternatively, there are bullying and intimidation, which continues to the point where they cannot stand it any longer and they leave. Charlie experienced both and from a number of quarters.

In the end, his performance was reviewed. He was not given an opportunity to be represented in his defence or even given a support person involved in the process. Indeed, Charlie was invited to a meeting with a senior executive. No reason was given. When he turned up he was faced with a confronting performance review by not one but two senior officials in ACT Health. No warning was given to Charlie. Charlie was afforded no natural justice.

Madam Speaker, Charlie is perhaps the most disturbing of the many stories I have heard from people in the ACT health system, but he is not alone. It is not only employees who have been affected. How many other stories do we hear about not only employees but also clients, patients? One revealed to me was from a first time young mum who was venturing into unknown territory and delivered twins by caesarean section at Canberra women's and children's hospital.

I will cut to the chase. She had a very traumatic experience. Those of us who are familiar with these things know that there is a lot of bleeding after birth. This woman, who was confined to bed, was distressed to find that she was in blood-soaked sheets. She rang a nurse, intending to apologise for making a mess and asking for assistance.

Seeing that it is unparliamentary, Madam Assistant Speaker, to use expletives in this place, I will delete them. The nurse, who was clearly under a huge amount of stress—and we understand that that is the case in the women's and children's hospital—blurted out to this woman, this new mother, “For”—expletive deleted—“sake. This is not John James private. I should not have to change your”—expletive deleted—“sheets.”

Imagine how that patient must have felt in her particular state when she had that tirade directed to her. Imagine what the circumstances are, when presumably a midwife, in one of the most caring professions, is driven to respond to a basic request for assistance in such an inappropriate way.

Then there is the preliminary report of the Royal Australian and New Zealand College of Radiologists on their accreditation review of the training program in the radiology department at the Canberra Hospital. The radiology department has held the highest accreditation standards for the previous 25 years. The report recommended the accreditation standard for the radiology department be reduced to the lowest level, that is, level D. The following is the definition for that level:

Multiple significant issues seriously impacting quality of training. Immediate action required, future accreditation in doubt.

Of the 12 standards covered in the review, the radiology department failed to achieve a single A score. It scored one level B, three level Cs and 8 level Ds. The report identified a range of issues contributing to the downgrade. The report noted that “the most significant issue is the negative environment”. The report identified the poor working relationship between senior management within the department and with senior hospital executives. It also said:

There is a lack of clinical control over the department with clinical leaders having minimal involvement with the recruitment of new trainees, rostering of the clinical staff and other significant departmental decisions.

The accreditation report said:

The internal political issues make working in the department difficult and cause low morale amongst staff.

The report further noted:

In 2017 there was a significant change to the trainee recruitment process ... and existing trainees were required to apply and interview for their positions, in competition with new applicants. There was a significant amount of confusion and stress experienced by trainees during this process with concerns it was being used as a performance management tool with a lack of clear information coming from the department and hospital management.

In particular, the report noted with serious concern that a non-clinical person chaired the recruitment panel and that that is in breach of the college's trainee selection guidelines for new recruitment. How simple would it have been to communicate with staff and trainees and take them along on the journey with them, for whatever reason they needed to assess or reassess people's performance?

The most concerning aspect of this report is that patient safety was put at risk. Here we have a culture embroiled in internal politics, poor relationships, non-clinical staff being involved where they should not, trainees facing unexplained processes, trainees not being properly supervised and a range of issues that have the bottom line of putting patient safety at risk.

Then there was the open letter from staff at the Centenary Hospital for Women and Children. This drew an extraordinary reaction through an open letter to the *Canberra Times* from senior management. The very fact that management decided to publish this letter is, in itself, a demonstration of the use of bullying tactics to intimidate staff.

I have quoted a few examples here. There are many more, which if time allows I will go to. I want to reflect on some of the things that have been described to me as bullying. There are very many tools that people have in their repertoire. It is often subtle things like eye-rolling when someone makes a suggestion and clicking from senior management to show that they do not approve.

If people are in the bad books, they do not get access to decent rosters. They are criticised openly in their workplaces. If they want to get access to leave, they are at the bottom of the pile. They are often told, "You cannot have leave during school holiday periods" although they are supposed to be a flexible and family friendly workplace. All these issues amount to bullying and intimidation.

We now have a minister—we will see it here in the comments from Mr Rattenbury today—saying that we have safe and respectful pathways for dealing with bullying

and intimidation. That is completely wrong. There are no safe and respectful pathways in ACT Health, and bullying and intimidation are rife. If you report inappropriate activity to a senior manager in ACT Health and you are not one of the preferred few, something is likely to happen to you. You yourself will often be accused of bullying. You will be accused of being something else.

It was pointed out to me recently that a clinician drew to the supervisor's attention a colleague for whom English was not her first language. She drew to the supervisor's attention that maybe this person needed some assistance in this place. She was concerned that she had made mistakes which may have stemmed from the fact that English was not her first language. Instead of the issue being addressed, the person who raised the issue—a complaint was not made; she believed that this person was quite good at the job—was accused of racism, and was put down publicly for being racist. You are not likely to raise an issue again if that is what happens.

I am calling for the executive to establish a board of inquiry under the Inquiries Act because this has gone on too long, and there have been no proper answers. This inquiry needs to be taken out into the open. It needs to look at management practices in ACT Health that deliver outcomes where people fall into these situations. It needs to be both top down and bottom up. It needs to be a safe place and a respectful place for people to tell their stories without fear of intimidation.

This board of inquiry needs to hear from the likes of Charlie and from the dozens of other people who ring my office on a regular basis. Yesterday someone in the media asked me why I was doing this, apart from the fact that I care about the staff at the Canberra Hospital and the Calvary Public Hospital and elsewhere who are complaining to me, and the former staff, who are much more open about their complaints. I am also concerned for my staff. My staff are becoming the frontline for dealing with people damaged by their experiences in ACT Health.

I owe it to my staff to find a way of directing those people to somewhere where they will get an answer. With all the best will in the world, my three part-time staff and I do not have the answers and the solutions to their problems. It seems to me that the ministers are not interested.

Every day we see the impact that bullying, either directly or indirectly, has on patients in our healthcare system. We see it in the stories—"For goodness sake, this is not a private hospital, I should not have to change your sheets", about which I think, on reflection (*Extension of time granted.*), the person who made those comments to a patient at the women's and children's hospital would be mortified that she said it. But we have heard already from the head of the women's and children's hospital that we have social working psychologists and psychiatrists coming in to assist the staff because of the pressure in that environment. That pressure leads to bullying.

We are very lucky that Charlie's attempt to commit suicide did not succeed. His family is very lucky. But how many more successful or unsuccessful attempts must we as a community go through before we can provide a safe and respectful health system in the ACT? I commend the motion to provide a board of inquiry into bullying

and harassment in the ACT health system to the Assembly on its merits. I encourage people to support the staff in ACT Health by supporting this inquiry.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (11.27): I want to start by acknowledging that Mrs Dunne's motion raises some very serious issues. Noting this, I wish to put on the record my and the government's position that there is zero tolerance for bullying in any ACT workplace. Every person has the right to feel safe, supported and respected at work, and that is the culture that we are striving to deliver right across ACT government directorates.

In particular, Mrs Dunne's motion highlights the potential impacts on mental health that can come from bullying. As the Minister for Mental Health, I am acutely aware of the potential consequences. In fact, tonight I will be speaking at an event run by Mental Illness Education ACT to launch their new bullying prevention program. It is a great piece of work which is looking to reduce the impact of bullying for young people in the ACT. These kinds of messages are important for people of all ages, and I am pleased to have another opportunity to reinforce our zero tolerance approach to bullying here in the Assembly today.

Having said that, it is somewhat disappointing to be here today addressing a motion which talks a lot about past issues and does not recognise work that has happened over recent months or the many positive changes that are occurring in ACT Health. Minister Fitzharris, as members would be aware, is not here today because she is attending a COAG meeting in Alice Springs and she had to leave Canberra earlier this morning. She gives her apologies for not being able to be here for this but, obviously, it is difficult to be in two places at once. I know that she recognises the seriousness of this issue, and also shares my optimism about the changes that are happening in ACT Health and the improvements that are being made.

The Minister for Health and Wellbeing and I take the issues of workplace culture very seriously. In discussion with ACT Health executives, we have deliberated on workplace culture and how best to ensure a healthy and safe workplace for all where issues of workplace culture can be reported, investigated and acted upon when they arise. Let me take the opportunity to assure members, both personally and on behalf of the Minister for Health and Wellbeing, of the efforts being taken to address the issue with the importance it deserves.

Minister Fitzharris has stated publicly on many occasions, and in this place, the no-tolerance approach that ACT Health takes to workplace culture issues, including bullying. I recognise that there have been cultural issues within ACT Health in the past and that in a workforce of over 7,000 people there will inevitably be instances that come up in the future. But the proposal that Mrs Dunne has put in her motion does not recognise the significant work that has already taken place in ACT Health to address cultural issues. It also does not recognise the number of existing complaints and investigation mechanisms that are available to staff, patients or any member of the public who has concerns about issues in our health system. That is why the

government will not be supporting this motion and why I will be moving amendments that reflect, we believe, a more appropriate way of dealing with this very serious issue.

Every year across the ACT health system there are around 119,000 admissions to our public hospitals and 148,000 presentations to Canberra's emergency departments. Our public hospitals will deliver more than 10,700 emergency surgeries and 14,000 elective surgeries. Our walk-in centres will see around 40,000 presentations, not to mention the thousands of Canberrans who will receive outpatient services and are provided with care through our six community health centres. In addition, mental health services are delivered to more than 10,000 clients through our acute and community-based programs. This is just a snapshot of the volume of services provided to our community by our health workforce: more than 7,000 dedicated and hardworking doctors, nurses, midwives, allied health professionals and support staff who come to work every day and are focused on ensuring that people have access to quality health care.

This is reflected by the feedback we receive from patients and the community. From January 2018 to April 2018, Canberra Hospital and health services received 1,090 pieces of feedback. The majority of this feedback has been positive about the services provided. When patients were asked if they would recommend Canberra Hospital to family and friends, 90 per cent said yes. When asked how they rated the care they received in the hospital, 88 per cent said it was either very good or good. These results reflect some of the strengths of ACT Health as an organisation that are not reflected in Mrs Dunne's motion.

As I said earlier, everyone has a right to feel respected, supported and safe at work. As a front-line service, this is something that ACT Health takes seriously. To ensure that our workforce is supported, ACT Health actively works not only to manage and prevent inappropriate behaviours in the workplace but also to foster a respectful, supportive and inclusive workplace culture.

Importantly, I want to emphasise that the Health Directorate has zero tolerance for inappropriate behaviour and takes all allegations of bullying very seriously. This approach is across all our hospitals and other health facilities, including Calvary. As the Minister for Health and Wellbeing has said in this place before, a positive working environment is everyone's responsibility, and all ACT Health staff are expected to uphold the highest standards of behaviour and contribute to a healthy, productive workforce.

There are a number of well-established processes in place to ensure that staff are supported and feel that they can come forward and report inappropriate behaviour if it does occur. As my proposed amendment states, these include training programs to educate staff on respectful workplace behaviours and educate managers on how to manage complaints of inappropriate behaviour; avenues for staff to raise instances of bullying and harassment and rigorous processes for investigating bullying appropriately and independently; and support programs for staff that have made allegations of workplace bullying through the employee assistance program.

In addition to the existing internal processes that I have listed, we have a number of independent external oversight mechanisms in the ACT which anyone can access and use to raise concerns. These include the Health Services Commissioner, the Ombudsman, the Auditor-General and the Public Sector Standards Commissioner. All of these bodies play an important role in holding ACT government agencies to account, and provide an external avenue for complaints to be aired and investigated.

The government recognises that there have been some challenges for ACT Health over recent months. I in no way wish to shy away from this fact. It was clear earlier this year that ACT Health was struggling with its governance arrangements, and this issue was further identified through the recent ACHS accreditation process. Specifically, the surveyors identified a lack of clear accountability lines which had flow-on effects for the culture at ACT Health.

As we said at the time, the accreditation provided an opportunity for learning and improvement, and that is exactly what ACT Health has been doing over recent months. I can assure members that since March, and throughout the accreditation process, there has been substantial work underway in ACT Health to not only address these issues but also rebuild trust and genuine engagement with staff.

As a result of this work, the surveyors found an entirely different story at the beginning of July during the advanced completion survey. The surveyors observed ACT Health as an organisation of cohesion and teamwork, focused on what is best for the patient and achieving great outcomes.

What this feedback shows is that the organisation has changed significantly in a matter of months, and much of this change has been driven by strong leadership at all levels across the organisation. This is further demonstrated by ACT Health's ability to come together as a team to implement all recommendations from the initial report and achieve re-accreditation. This is a result that should be recognised in a positive, productive light by all in this place.

As Minister Fitzharris announced yesterday, the final draft accreditation report is now with the ACT government for final comment and will be released in the coming weeks. But from the comments that the surveyors have made in this report, it is evident that a lot has changed in the directorate. While the report is still in draft, I want to share with members some of the comments that highlight the work that has been underway and the impact it has had.

The surveyors found that over the past few months the organisation has changed dramatically, implementing sustainable systems and processes that provide direction and strong governance from both corporate and clinical governance perspectives. The surveyors acknowledged the extensive work done by the staff across ACT Health to achieve this result. They found staff demonstrated commitment and focus to drive sustainable positive change in the culture of the organisation and have moved from a fragmented, divided organisation to one of cohesion and teamwork.

They found that corporate and clinical governance frameworks and supporting documents have provided staff at all levels and designations with clear direction and accountabilities around their role in safety and quality. They also found that the ACT Health leadership team are clear about the direction, their own roles and responsibilities and the expectations of the organisation. People are being held accountable, but they are also recognised at all levels by the director-general with a personalised phone call to acknowledge and thank them for their work. This has been very powerful in assisting with cultural change.

Finally, they found that there is a new workforce strategy under development which will include details of the workforce accountabilities and responsibilities in safety, quality and risk. There has been targeted education to ensure that staff are aware of their roles in this new environment.

These comments show that we already have external validation that confirms that there is a significantly positive shift in the workforce culture across the organisation. This is why I am proposing an amendment to Mrs Dunne's motion and why I do not believe a board of inquiry is a necessary or appropriate use of resources at this time. I now move:

Omit all words after "That this Assembly", substitute:

"(1) notes that ACT Health:

- (a) believes everyone has a right to feel respected, supported and safe at work;
- (a) has a policy of zero tolerance towards bullying and takes allegations of bullying very seriously by investigating complaints and taking appropriate action in relation to its employees; and
- (b) has an Anti-Discrimination, Harassment and Bullying Policy that outlines ACT Health's commitment to providing a safe and harmonious work environment that enhances the achievements of both individual and organisational goals;

(2) further notes that:

- (a) the Minister for Health and Wellbeing and the Interim Director-General of ACT Health have made numerous public statements reiterating that the ACT Government has zero tolerance for bullying and that there are safe and respectful pathways available to people wishing to complain about bullying within ACT directorates;
- (b) the work undertaken over the past few months with the reaccreditation of Canberra Hospital and Health Services was a testament to the great work of all staff and the leadership team, demonstrating that there is an improving culture at ACT Health;
- (c) the ACT Health Services Commissioner has a mandate to receive complaints about the provision of health services in the ACT as an independent party external from ACT Health;
- (d) complaints can also be lodged with the ACT Ombudsman, the Auditor General and the Public Sector Standards Commissioner, including through the Public Interest Disclosure (PID) process;

- (e) ACT Health has a range of measures in place to support staff, including:
  - (i) training programs to educate staff on respectful workplace behaviours and educate managers on how to manage complaints of inappropriate behaviour;
  - (ii) avenues for staff to raise incidents of bullying and harassment, which include raising concerns with their Senior Manager, People and Culture (HR), Employee Services and through the electronic internal incident reporting mechanism;
  - (iii) an established network of over 85 Respect Equity and Diversity (RED) Contact Officers for all professions;
  - (iv) rigorous processes for investigating bullying appropriately and independently in line with the requirements of ACT Health Enterprise Bargaining Agreements and the Public Sector Management Act 1994, which all ACT Health and ACT Government employees are required to adhere to and ensures the employee against who the allegation has been made is provided the opportunity to respond;
  - (v) ensuring the employee against who the allegation has been made is provided with natural justice and procedural fairness in the process when given the opportunity to respond;
  - (vi) suitable support programs for staff that have made allegations of workplace bullying through the Employee Assistance Program; and
  - (vii) the Quality Strategy launched in March 2018 which has been designed to ensure staff, patients and families have mechanisms for providing feedback about patient care to drive a positive culture of continuous improvement and to improve outcomes for patients;
- (f) ACT Health is undergoing organisational change by separating into two organisations, one delivering frontline health services, the other strategic policy and planning, which has been providing opportunities for staff to be consulted and engaged in helping to develop the details on the new structure; and
- (g) Calvary Public Hospital Bruce also has a policy of zero tolerance towards bullying and takes any allegations of bullying seriously through:
  - (i) internal and external reporting mechanisms available for staff, volunteers and patients;
  - (ii) investigating reported matters in accordance with Calvary's policy and procedures, Code of Conduct, relevant industrial agreements and natural justice;
  - (iii) executive leadership and staff orientation programs encouraging a culture of positive interactions by making expectations clear to all staff about appropriate behaviour; and
  - (iv) supporting the WorkSafe ACT independent investigation of Calvary's bullying and harassment allegations; and

- (3) calls on the ACT Government to:
- (a) continue to promote and improve existing ACT Health internal mechanisms for hearing and investigating complaints;
  - (b) instruct the new Director-General of ACT Health and the new CEO of Canberra Hospital and Health Services to drive a culture of respect and zero tolerance for bullying in the two new organisations as a priority of the ACT Government; and
  - (c) provide an update to the Assembly before the end of 2018 on:
    - (i) the number of bullying complaints, investigations, outcomes and actions in ACT Health and Calvary Public Hospital Bruce;
    - (ii) improvements to staff culture and behaviour through the implementation of the ACT Health organisational changes, the Quality Strategy and other measures as appropriate; and
    - (iii) the process for the next Staff Culture Survey that will examine staff engagement, sentiment and views on the culture of ACT Health.”.

Madam Assistant Speaker, on 1 October 2018, ACT Health will separate into two distinct organisations, one focused on clinical and medical service delivery and the other on health system management, strategic policy and planning support functions. It will bring the ACT into line with other jurisdictions and modernise ACT Health’s organisational and governance structure.

As part of the separation of ACT Health, and with new leadership in the two organisations, there is a further opportunity to focus on positive workplace culture. My motion highlights the government’s commitment to driving further cultural change through this process. I understand that staff are already being engaged and have been provided with opportunities to help in developing the details of the new structure, including its governance and feedback mechanisms.

As part of the preparatory work underway, there is also a larger piece of work being carried out that is focused on organisational development. This work, which is being led by the interim director-general of ACT Health as a matter of priority, is focused on the cultural needs of the organisations, in particular for the first six months of operations. It will be underpinned by a focus on values, genuine engagement with staff and leadership across the organisations. And it will provide the opportunity for us to embed an even more positive workforce culture across our health system.

Minister Fitzharris and I have been briefed by the directorate on this work, and the government is confident that the plans that are being put in place by the ACT Health leadership will ensure that there is a strong and positive cultural foundation for both new organisations moving forward.

Before concluding today, it is important to acknowledge that the staff culture within an organisation of more than 7,000 people is not something you can change overnight. But it is clear, through the accreditation process and as we move to split ACT Health into two, that there are vast improvements being made to the way that staff can raise

issues, how they can work more collaboratively to get the best outcomes for patients, and ensuring that ACT Health is a great place to work.

The ACT government is committed to delivering on our priorities in the health portfolio and ensuring that our public health system is best positioned to plan for and deliver services to our community now and into the future. We know that a key feature of this is ensuring that our health workforce is well supported.

The changes that have been implemented by ACT Health during accreditation have already gone some way to addressing issues around culture and governance within ACT Health. While we recognise that there is more work to do, I am confident that we have the leadership and plans in place to continue to drive improvements across the organisation.

As the amendment states, the government will provide an update to the Assembly later this year as this organisational development work progresses and the improvements to staff culture continue to be implemented. I know it is important that, as we continue to undertake this work, we are open and transparent, both in this place and with the broader community, about what is happening.

Canberrans need to be able to have confidence in our healthcare system, to know they can rely on our services in times of need. I have spoken about a lot of the positive work that is already underway and both I and Minister Fitzharris are committed to this process and coming back to the Assembly with more information over the coming months.

I want to conclude my remarks by reflecting on some of the observations that Mrs Dunne has made today. They are very serious and concerning stories and accounts that she has provided. They are obviously distressing to listen to. I share the concerns that she has spoken about for those individual staff members and others about whom she has not spoken today. I am also concerned about the reflection Mrs Dunne made about her own staff being impacted by this. I think that we need to do some work, probably outside the chamber, to have a conversation about how some of these matters can be progressed immediately rather than as a collective accounting in this place. We cannot let matters like that go on individually.

In the case of Charlie, whom Mrs Dunne spoke of, clearly that is a case of something that was taking place at the most senior levels in our leadership. We need to have ways to make sure that those circumstances are held to account. I would very much welcome, and I know Minister Fitzharris made some comments this morning on radio, thinking about a way to work on those specific matters more particularly going forward.

As I am out of time, I will simply commend my amendment to the Assembly and reflect on the fact that we have more work to do in this space.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.42): I thank the Minister for Mental Health for his contribution, and particularly also for undertaking

the duties of the Minister for Health and Wellbeing by moving an amendment to this motion. I acknowledge that both ministers in the health portfolio have worked very hard in recent months to address concerns. The very comprehensive amendment that Minister Rattenbury has moved today, I believe, is worthy of the Assembly's support, and better reflects the current status and focus of the government in relation to health service delivery and the work that is being undertaken to strengthen both the directorate's work culture and service delivery.

I recognise that it is well within the right of any member of this place to seek to establish boards of inquiry into issues. It is not the first and nor will it be the last time that the Assembly will consider such calls. It is worth advising members, and indeed putting on the public record, that there are significant costs associated with boards of inquiry. They are the territory equivalent of royal commissions. It would be remiss of me as Treasurer not to advise the Assembly of the costs associated with such processes, and they are considerable: in the tens of millions of dollars.

With respect to recent royal commissions in this country, I can refer to two. The trade union royal commission cost around \$50 million. We will all reflect on the highly partisan and political nature of that exercise and what a waste of taxpayers' money that was. With the current banking royal commission, the commonwealth government have estimated a cost at this point of at least \$65 million. There have been reports in the *Financial Review* that the total cost will approach \$1 billion when you take into account all of the legal costs associated with the money that the banks will spend in relation to their own lawyers and legal defence through such a process.

This is simply to put on the public record that these are not cheap exercises. These are very expensive. In the context of the territory budget, we would have to give, as Assembly members, very serious consideration to whether the next \$50 million that we would invest in our health system would in fact be better spent on services, and health services for Canberrans. That is a lot of elective surgeries. That is a lot of additional support for our hospitals and health system, and that is clearly a choice that is before us. I would always err on the side of wanting resources of that magnitude to go to better service delivery, to provide the best possible health system for Canberrans.

I respect that others will take a different view, but I will be clear, speaking as Treasurer, that the next \$50 million that I would invest in the ACT Health system would be invested in services, elective surgeries, reducing waiting times at accident and emergency, more beds in our hospitals: more services for our community. I think that is the priority over the coming years.

It is also important to note that a board of inquiry would require significant diversion of existing resources within the health system, in addition to the significant fiscal cost, at a point, frankly, where they are much better to focus on the delivery of health services, the rollout of new services like the walk-in-centres, improvements to our emergency departments and more elective surgeries.

There is a very strong reporting framework in place within the ACT Health system for complaints, for bullying and harassment issues, to be dealt with. The minister has outlined some of those avenues of complaint that range from the Ombudsman to the

Auditor-General to the Public Sector Standards Commissioner. There are opportunities internally within the Health Directorate as well.

It is the government's view that a long and expensive formal board of inquiry process would not address individuals' concerns quickly and satisfactorily and would be an unnecessary diversion of resources away from front-line health service delivery for our community.

We believe that the process that has been outlined through the amendment that Minister Rattenbury has moved, both on his behalf and on behalf of the Minister for Health and Wellbeing, is the approach that the Assembly should take today. As I say, I respect that there will be a variety of views on this matter, as there always are in debates in the Assembly. But the government's view is that the next \$20 million to \$50 million that we invest should be invested in health services for the people of Canberra, not in an expensive and unnecessary legal process. I commend Minister Rattenbury's amendment to the Assembly.

**MRS DUNNE** (Ginninderra) (11.48): It is, quite frankly, disappointing that the party of the workers, so to speak, are not concerned about the welfare of their workers in such a vital front-line area. I understand second-hand from colleagues that Ms Fitzharris was on the radio this morning, I think on ABC radio, basically dismissing this motion as a political stunt—that is the term that I understand she has used most often—and decrying, as the Chief Minister has, the possible expense.

Of course, when you are coming up with an argument about why you should do things, you come up with a very large sum of money and compare it to the banking royal commission. It is interesting that the Chief Minister did not compare it to the royal commission into institutional child abuse, which is probably the sort of issue that is more comparable. I suspect he does not think that that was a waste of money.

Ms Fitzharris, in her statement this morning, called this a political stunt. She is either unaware of or wants to ignore the extent of bullying in the ACT Health system. I notice that Mr Rattenbury has been at great pains to say, "That is all behind us," as though there has been some magic line drawn in the sand and everything has changed. It is not all behind us. I will refer in a few moments to something that is current.

If this is a political stunt, it is a political stunt on Ms Fitzharris's part, because Ms Fitzharris seems only to be able to respond to things at a political level. Everything that she does is through the prism of "How will this play out politically?" That is an admirable attribute for someone in politics, but from time to time you have to be a little rational, and sometimes a little empathetic, in dealing with public policy issues as well.

Mr Rattenbury, Ms Fitzharris and Mr Barr have said that a board of inquiry is not necessary. I think this shows that none of them cares; nor are they willing to take responsibility for the health and wellbeing of staff, patients and their families. This is principally about staff. I have had complaints of bullying of clients by staff at the hospital, but the vast numbers of complaints are about staff on staff. While

Ms Fitzharris was on the radio dissing me this morning, I was having breakfast with two former staff members of ACT Health, who told me hair-raising stories about how bullying is enabled in ACT Health.

I will give some examples of the sorts of things that happen. This is a cultural problem; it is completely and utterly a problem of culture. What was described to me this morning was nothing short of grooming—that senior officials select, from amongst their subordinates, the people who are most vulnerable, and they will bully them. They will select, also from amongst their subordinates, people who are influenceable, and they will be brought into the inner sanctum in ways which are inappropriate.

For instance, it was said to me that, regularly, senior management in ACT Health, in various areas, invite into their homes their subordinates for social meals. It is not about bringing all the staff home for a barbecue at Christmas-time; it is about selectively bringing people into the inner sanctum and essentially grooming them to perpetuate the behaviour, so that when someone is moved on, the behaviour continues because the people behind them do it.

The people I spoke to this morning have both worked in health services interstate where that sort of behaviour—senior management taking staff home for private dinners—would be considered to be a breach of the code of conduct. They are showing favouritism to some staff over others, which is just inappropriate and unprofessional, but it would be considered a breach of the code of conduct. They said to me, “This would not happen in New South Wales or Queensland; the people doing this would be disciplined.”

What happens is that you choose favourites and you choose victims. The people who are victimised are performance managed out, they are bullied, they have their desks taken from them and are told to hot desk, or they are told, “If you want to use a computer, why don’t you go down to the public library?” These are not things that are yet to happen; they have happened, and they have happened in the very recent past.

To say, “Everything is fine and dandy, and it’s all rainbows and unicorns in ACT Health because in March we made a change, and now it’s all going to be fine,” is ludicrous. It is essentially what was said on the radio this morning, and it clearly says that something magical happened this year, and everything is going to be fine in the future.

I will refer to something that occurred as recently as last week. A concerned person who lives over the border—therefore is not a constituent—wrote to Minister Fitzharris and Minister Rattenbury to raise issues which have previously been raised, which were raised by me in the estimates hearing, about a particular area in ACT Health which I will not name here and did not name in estimates. I was told in estimates by the interim director-general that he was aware of the issues and he was dealing with it. This person wrote last week to Mr Rattenbury and Ms Fitzharris, saying he was writing in regard to ongoing and systematic bullying of a particular person who works in a particular area in ACT Health. He was writing in his capacity as a close friend

and a former colleague because he too had experienced what he calls “the same vile treatment”. He says, “Let me begin by saying it is extremely disappointing that in the year 2018 I should have to write such a letter expressing my deep concern for the health and wellbeing of one of your employees.”—yours, Mr Rattenbury and Ms Fitzharris.

He goes on to say, “The core values of health are very distant from this organisation within ACT Health.” He talks about the way that this particular person is being treated, and he says that this person has been subject to “relentless bullying, harassment and gaslighting by senior officials in ACT Health within this area”. He speaks at length about this person’s experience, his professional experience before he came to work in ACT Health, and the sort of person he is. He also goes on to say, “Ministers, you are ultimately responsible for the health and wellbeing of ACT Health staff. It is widely known that this department has a horrendous reputation of bullying and harassment, yet nothing is done.” He says that his own experience was exactly the same, and that the two named officials in this email “finish up destroying one person and they move on to the next”.

This was described to me exactly this morning by two former Health officials who took time to come to meet with me because they thought what I was doing here today was important. After Minister Fitzharris had spent time on the radio dissing me, my senior staff and I came into the office to receive a four-minute message on our office voicemail with yet another story, and another encouragement for us not to give up.

My motion today is going to fail, but I am putting on the record now that I am not going to give up. Mr Rattenbury and Ms Fitzharris may give up on ACT Health staff, but I am not. My phones will be available, and my staff and I will talk to the people that these ministers will not talk to. I will find a way to bring into the open as many of these cases as possible, while protecting the identity and the integrity of the people who work in ACT Health.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 12

Noes 9

Ms Berry	Ms Orr	Miss C Burch	Mr Milligan
Ms J Burch	Mr Pettersson	Mr Coe	Mr Parton
Ms Cheyne	Mr Ramsay	Mrs Dunne	Mr Wall
Ms Cody	Mr Rattenbury	Mrs Kikkert	
Mr Gentleman	Mr Steel	Ms Lawder	
Ms Le Couteur	Ms Stephen-Smith	Ms Lee	

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## Leave of absence

Motion (by **Mr Gentleman**) agreed to:

That leave of absence be granted to Ms Fitzharris to attend an interstate ministerial council meeting for today and tomorrow.

Motion (by **Mr Wall**) agreed to:

That leave of absence be granted to Mr Hanson for today for personal reasons.

## Australian Space Agency

**MS CHEYNE** (Ginninderra) (12.03): I move:

That this Assembly:

- (1) notes that the global space industry is growing exponentially, and Canberra is best placed in Australia to support the Australian Space Agency with strong government partnerships, links to nation-leading education and research institutions, and existing world-class space technology and infrastructure;
- (2) acknowledges that Canberra has played a vital role in the invigoration of the space industry in Australia in recent years, and has provided leadership in the national conversation on the space industry, including by:
  - (a) successfully arguing for the establishment of the first Australian Space Agency;
  - (b) investing \$375 000 to help establish a space mission design facility to bring together industry, agencies and the research sector to rapidly design and validate the technical and economic viability of space missions;
  - (c) providing \$1 million over the last three years to leading education institutions in Canberra to strengthen Canberra's space sector;
  - (d) providing \$250 000 in funding to enable free access to the largest space testing facilities in the country; and
  - (e) committing to investing \$9.75 million over the next three years in stimulus and innovative infrastructure projects under the Priority Investment Program;
- (3) notes that:
  - (a) the Chief Minister has met with the newly appointed head of the Space Agency to advocate for Canberra as the logical permanent home of the Agency; and
  - (b) Federal Labor has committed to permanently basing the Agency headquarters in Canberra should it win the next election;
- (4) further notes the co-location of the Australian Space Agency with key Commonwealth departments in Canberra enables the Agency to effectively carry out its primary role of coordinating Australia's space policy, in particular:

- (a) space exploration is the core work of the Commonwealth;
  - (b) Canberra is home to every major Commonwealth stakeholder except the Bureau of Meteorology;
  - (c) co-locating the Australian Space Agency with the Department of Defence, national security agencies and key government agencies will foster greater collaboration and efficiency, and will provide significant opportunities for the commercialisation of Australian space technologies; and
  - (d) bilateral and multilateral space treaties raise issues across a wide range of portfolio areas, which require a whole-of-government approach to negotiations, and the skills and expertise required to negotiate complex international agreements are concentrated in Commonwealth Departments in Canberra;
- (5) also notes that making Canberra the permanent home of the Australian Space Agency will foster partnerships with significant national research and education institutions, and highlights that:
- (a) the Australian National Concurrent Design facility at the University of NSW Canberra combined with the ANU National Space Test Facilities provide Australia's only capability to conceptualise, design, build, test and monitor spacecraft;
  - (b) ANU and UNSW Canberra both have satellite operation capabilities with ground station infrastructure to support satellite missions; and
  - (c) Canberra is committed to building a skilled workforce pipeline, and is currently providing cutting-edge STEM training and space-focussed education programs, entrepreneurship outreach initiatives;
- (6) recognises that Canberra is on the cutting edge of space technology and innovation, and has the necessary infrastructure and workforce to complement the Australian Space Agency's central role in the space industry, particularly:
- (a) almost one in four Australian space sector jobs are in Canberra;
  - (b) Canberra has significant space exploration infrastructure, including one of only three NASA Deep Space Network facilities in the world, satellite ground stations and world-class facilities in areas such as Space Situational Awareness, earth observation, debris monitoring and positioning, navigation and timing infrastructure; and
  - (c) there is significant private sector space capability in Canberra, including companies such as Q-Labs, Liquid Instruments, Locata, Shoal Group, EOS Space Systems, Geoplex, Geospatial Intelligence, Clearbox, Equatorial Launch Australia, Via Sat, Lockheed Martin, Northrop Grumman and Airbus Defence and Space; and
- (7) calls on Members of this Assembly to continue to reinforce to federal colleagues at every opportunity that Canberra plays a vital role in supporting Australia's space industry, and is the rightful national home of the Australian Space Agency.

It is the final frontier. It has been the subject of unquenchable human curiosity for millennia. It fills us with awe and wonder, sparks our imaginations and holds the

answers to the beginning of time. It is, of course, space. For decades Canberra has been helping scientists around the world uncover the wonders of outer space. And this year we have had the great honour of establishing the Australian Space Agency, the first of its kind in our country.

Canberra has demonstrated that a space agency in Canberra is an effective, well-connected and high-performing space agency. We are best placed in all of Australia to be the national home for the Space Agency. We have the right workforce, the right partners and the right infrastructure to properly support this significant national institution. It is only right that Canberra becomes the permanent home of the Australian Space Agency.

The space industry, as members know, is undergoing exponential growth. It is currently worth around \$420 billion per annum and is growing by 10 per cent each year. The cost of space exploration is dropping dramatically and more players are coming into this space. As with anything technology based, we are on the cusp of a new era. We can expect to see more developments in the space industry in the next few decades than we have seen in the whole of human history. There will be more developments in our knowledge of space and our technological capabilities in the next few decades than there have been in the whole of our history.

In short, it is a crucial time for Canberra to stand up and be counted in the space industry. Making Canberra the permanent home of the Australian Space Agency will be not only a strong move for the space industry but also a strong move for Canberra and Canberrans. This government is committed to partnering with the Australian Space Agency to ensure that the industry continues to create jobs for Canberrans.

At the outset, our city and our government have demonstrated how ready and willing we are to support the Australian Space Agency. In recent years we have made significant investments to stimulate space research and education right here in Canberra. This has included \$375,000 to help establish the Australian concurrent design facility, which is uniquely placed to bring together industry, agencies and the research sector to rapidly design and validate the technical and economic viability of space missions. The facility is the only one of its kind in Australia and means that we now have the capability to develop space missions from start to finish.

To quote Professor Boyce from UNSW Canberra:

This is a world-class facility that will play an important role in the growth of jobs across the sector, including researchers, designers, engineers, technicians, software specialists and beyond.

We have provided \$1 million over the past three years to leading education institutions in Canberra to strengthen our space sector, as well as \$250,000 in funding to enable free access to the national space test facilities at Mount Stromlo. These investments will support the world-leading research underway in our universities and will ensure that our world-class facilities are available for all participants in the space industry. It does not stop there. We have committed to investing \$9.75 million over the next three years in stimulus to innovative infrastructure projects under the priority

investment program. This funding will help foster a culture of innovation and entrepreneurship in our city, building on what we already have, and will focus on technology-based enterprises, including the space industry.

We are lucky to have a Chief Minister who is cognisant of the growing significance of the space industry and is actively advocating for Canberra to maintain our role as the home of the national Space Agency. Our federal Labor colleagues are also supporting our city as the rightful place for the prime space policymaking agency in our country.

There are many reasons why Canberra is best placed to serve as the home of the Australian Space Agency. Key among them is the fact that Canberra is home to every major commonwealth stakeholder of the Space Agency except the Bureau of Meteorology. The primary purpose of the Space Agency is to coordinate policy between commonwealth departments and agencies, against a backdrop of complex international relationships and treaties. Indeed, the agency often consults and collaborates with a wide range of departments including Defence, DFAT and our national security agencies, as well as the Attorney-General's Department, the Department of Industry, Innovation and Science, Geoscience Australia and the CSIRO.

It is common sense that housing the Space Agency in Canberra will support close working relationships between staff at relevant departments and agencies, as well as giving the Space Agency better access to relevant ministers. I do not need to go on about why it is just so important, as we have debated on many occasions already that Canberra absolutely should be the home of the public service and we should continue to support that. This aligns so well with that.

It is also important to remember that space research and development do not happen in a silo. Space policy is inextricably linked to national security policy, and new space technologies are often deployed in the context of defence and intelligence projects. It makes sense, in these high-security environments, for these departments and agencies to be co-located, with ease of access between personnel.

Space exploration by its nature crosses national borders. Space exploration, and technology, is not, however, a lawless enterprise. It is governed by complex international treaties and relationships which are critical to keeping the peace between nations here on earth. As home to more than 80 embassies and high commissions, and with a great wealth of experience in international diplomacy and international treaty negotiation concentrated right here in Canberra, we are best placed to support this aspect of the Space Agency's role.

Basing the Space Agency in Canberra not only creates opportunities for partnerships with the commonwealth government but also supports close working relationships with key academics and researchers in this space. The significance of potential partnerships between the national Space Agency and Canberra's universities cannot be understated. I have already mentioned the nation-leading Australian national concurrent design facility at the University of New South Wales, Canberra. When you combine this with the ANU national space test facility, we are the only place in the

country where you can conceptualise, design, build, test and monitor spacecraft from start to finish.

As an example of its work, the concurrent design facility launched a miniature cube satellite late last year, which had been built here in Canberra. The satellite, called the *Buccaneer*, assists us to understand the JORN radar system, which is used to conduct air and maritime surveillance here in Australia. It also helps scientists to track the trajectories of space junk so space missions can avoid orbital collisions.

The concurrent design facility is currently developing three small spacecraft under a \$10 million contract from the RAAF. It is the stuff of movies and it is happening. It is happening right here in Canberra. The ANU and UNSW Canberra also both have satellite operation capabilities, with ground station infrastructure to support satellite missions.

Canberra simply has the necessary infrastructure and workforce to complement the Australian Space Agency's central role in the space industry in Australia and internationally. The fact is, one in four Australian space sector jobs are already here. We are home to major multinational companies that have an interest in the development of the Australian space economy, and significant commercial players such as EOS space systems, Geospatial Intelligence and Skykraft already have a presence here, and that is just a few of them.

Of course space research and development must be supported by significant ground infrastructure: infrastructure which Canberra already has. We have one of only three NASA deep space tracking stations in the world, with the other two located in Spain and the US. These tracking stations provide the vital communications gateway between the deep space craft and the mission teams on earth. We also have satellite ground stations and world-class facilities to monitor debris and avoid orbital collisions, undertake positioning and navigation projects, and conduct earth monitoring.

The space industry is already contributing to our local economy and creating jobs for Canberra and Canberrans. It is only going to continue growing. We are looking ahead to support the industry, with a skilled workforce pipeline already in place. We are bringing engaging, cutting-edge STEM education opportunities to our schools, thanks to the minister for education, to encourage and inspire the next generation of space scientists and professionals. Programs include the YMCA Canberra space squad to promote space careers to students in years 7 to 9, and the MSATT, which is Canberra's first astronomical teaching observatory for school students. We also actively support new space enterprises within our entrepreneur outreach programs.

The space industry is moving forward faster than at any other time in history. It is a strong economic driver and is creating opportunities for Canberrans to work on world-leading, cutting-edge technologies right here in our city, in Canberra. This government is well aware of the potential of the space industry in our city. We are working hard to keep building the industry now and into the future, increasingly making it more attractive.

A key part of that is of course keeping the Australian Space Agency right here in Canberra. I think all the arguments that I have gone through over the past 12 or so minutes have outlined it very clearly. To put it simply, it is common sense to have the central space policy agency here in the nation's capital. Only in Canberra can the Space Agency have such close ties with key government departments and agencies, research institutions and private space industry businesses, where we have the existing workforce and a workforce coming through.

So I call on everyone in this Assembly to continue to reinforce to their federal colleagues at every opportunity that Canberra plays a vital role in supporting Australia's space industry and for that reason is the rightful national home of the Australian Space Agency.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (12.15): I thank Ms Cheyne for outlining the importance of Canberra to Australia's growing space industry, and I thank her for bringing the motion forward today. We were very pleased last week to launch the ACT's proposition for making Canberra the permanent home of the Australian Space Agency. As has been mentioned, this represents a significant next step in the development of the industry for our nation, noting the very significant role that Canberra already plays, with around one in four Australian space industry jobs based in our city.

It was pleasing that the initial home for the national agency is Canberra, and we are very pleased to continue our work with the next generation of researchers, engineers and scientists who will support the future growth of the industry not just here in Canberra but across Australia. That capability combined with our world-class research and higher education institutions and the very close links to the commonwealth government that have been outlined this morning make Canberra the natural home for the Australian Space Agency.

Our pitch is compelling: we are already home to the key national and international policymakers, research institutions, government agencies, diplomatic networks, and thriving technology, IT and engineering companies. The territory government will continue to actively support the growth of the space, cyber and defence sectors in Canberra. These will be critical job and growth-creating industries for our city over the coming decade.

We have been working at this for some time now. Well in advance of the Australian government's announcement of the creation of an Australian space agency, we entered into a memorandum of understanding with the South Australian and Northern Territory governments to grow the space sector nationally. We recognised the need to work across the Australian states and territories to provide the best possible outcome for the Australian industry in what is an intensely internationally competitive area.

There is a degree of uncertainty at the moment about the agency's permanent location and this has led to some unfortunate jockeying between states and territories which has distracted from the collaborative effort we all need to be part of to achieve the

overall industry development goals for our nation. But, to be clear, if Canberra is the agency's permanent home, then we are determined to make a contribution in the ACT as part of a nationally collaborative approach.

This is an opportunity for cooperative federalism, not competitive federalism. We have already demonstrated as a jurisdiction the capability to lead the project, and Canberra's bid is about getting the best outcome for the Australian industry over the longer term. We want to continue to support the development of space, defence and cyber security industries because we know Canberra has the capacity to lead in these new sectors.

We will continue to back local businesses to thrive in these areas from investing in start-ups through the CBR Innovation Network to our work with the CSIRO ANU, UNSW Canberra and other research institutions, we have been able to create a new, innovative and thriving space industry in Canberra. Our space ecosystem offers world-class research, knowledge and practical experience. Central to our city's space industry development is an innovative ecosystem that includes government, industry, educational institutions and the wider research community. There is no doubt that the ANU and UNSW Canberra are amongst Australia's most active higher education institutions in space-related disciplines.

Ms Cheyne indicated the recent launch of the Buccaneer cube sat by UNSW Canberra and the defence science and technology group shows how government-supported space missions can grow national space industry capability. Through Mount Stromlo the ANU is building some of the best satellite instrumentation equipment in the world. Last week I was very pleased to be able to make a significant investment on behalf of the ACT government in the national space test facilities at Mount Stromlo to provide greater access to those facilities for SMEs, particularly from the Canberra region.

There is no doubt that active government support for a new industry is essential to keep us at the front of the pack and to keep the best minds coming to our city to undertake their work and research. Through our world-class education system and our government and industry-supported STEM and entrepreneurship activities we are building an extraordinary capability of skills and knowledge in Canberra, just the sort of knowledge a growing space sector needs.

It is important that a burgeoning industry has the right skills within its local workforce, and this is why it is so pleasing to see that ANU, University of Canberra, the University of New South Wales Canberra and the Canberra Institute of Technology are all working together to offer a range of significant space and cyber-related course offerings. This is, of course, also supported by significant investments from Canberra-based private companies to invest in the skills of their workforces.

It is important to engage the next generation in the wonders of the space sector, and ACT education is now supporting MSAT, Canberra's first astronomical teaching observatory for school students at Mount Stromlo.

In conclusion, Canberra is the logical location to be the permanent home of the Australian Space Agency. Whilst we will not seek to pre-empt commonwealth

decision-making, I was very heartened to hear from my federal colleagues that federal Labor has already announced its very sensible position that the agency should be based in Canberra and would be based in Canberra under a federal Labor government. I hope that becomes a bipartisan position at the conclusion of this commonwealth process. I think this is an issue that is beyond party politics; it is about the future of this industry in Australia and the future contribution the city of Canberra can make, and that is a very significant contribution.

I hope that this motion today will receive unanimous support across the chamber. We can all lobby our respective colleagues on the big hill to make the right decision, but I can say the ACT government will continue to support the development of the space industry in the territory. Speaking as a Labor chief minister I am pleased that my federal Labor colleagues are already over the line on this important issue. I commend Ms Cheyne for her motion today and hope it receives unanimous support from Assembly members.

**MR COE** (Yerrabi—Leader of the Opposition) (12.22): I am pleased that the Assembly will today be passing this very important motion. The ACT has long been the centre of the space industry in Australia with heavy involvement in some of the great space exploration missions of our time. Within just 20 or so kilometres from this place is, of course, the Tidbinbilla tracking station, the only NASA-operated facility in the country. Canberra scientific manpower is something we are very proud of. We are home of both the Australian National University, a global leader in science programs specialising in physics, engineering and astronomy, and the University of New South Wales Canberra campus also adds to our scientific prowess as a territory. Both institutions have made the ACT a hub of astronomical research over the past 50 years.

A clear benefit of basing the Australian Space Agency in Canberra is the infrastructure that already exists. Examples, of course, include the Advanced Instrumentation and Technology Centre and the National Computational Infrastructure supercomputer, both located at the ANU. These programs are leading the nation in high performance computing and data capability and the development of next-generation instruments for astronomy and space science.

Space exploration, despite numerous achievements over the past 50 years, is still in its infancy. It has long been stated that the future of humanity resides in space and, whether this is true or not, it is certainly a motivator for many people. It presents a real opportunity for the Australian Space Agency in Canberra. Our territory is the diplomatic centre of the nation, allowing for close cooperation between foreign nations, something that is, of course, pivotal for space exploration and space programs.

Canberra has a thriving industry in defence and aerospace, and the Canberra Liberals were proud to recognise this in our last election campaign. Further, the commonwealth has for many years had an interest in space. Formerly there was an Australian Space Office, an Australian Space Council and a national space program. The Menzies government did very important work in this field too. More recently the commonwealth had a space policy unit, FedSat and numerous other related entities and programs.

Canberra is the home of the federal public service and my colleagues and I will always advocate for this. It is something I have made very clear to my federal colleagues in personal communication but also through the media. With close cooperation between federal agencies, the dream of an Australian space agency is a reality, and its achievements can be real. Canberra has a real strength in this area, and is unmatched by other states and territories.

The economic benefits of such a program to the ACT are not to be underestimated. A space agency will create hundreds of jobs as well as opportunities for our youth to excel in the areas of science and mathematics. Of course, it would be a great advantage for the ACT that would allow the ACT to continue to be a leader in space industry and academic research.

I have written to the Prime Minister to encourage him to permanently base the Australian Space Agency in Canberra and to inform him of the benefits the territory would bring to the agency and also the benefits the agency would bring to Canberra. I have also been in contact with Senator Michaelia Cash, the minister overseeing the program, who has assured me that the ACT will be assessed on its merits. I believe that will lead to the ACT winning this process.

Space is and will continue to be the final frontier of human exploration. I want to acknowledge every scientist, physicist, engineer and industry professional who has contributed to the ACT in this industry over the past 50 years. Canberra continues to be a leader in this area and I believe the success of the Australian space program will be best achieved by basing the agency in the ACT. I look forward to working with my federal colleagues and with other members of this place to ensure that the agency is established permanently in Canberra.

*Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.*

**Sitting suspended from 12.28 to 2.30 pm.**

## **Ministerial arrangements**

**MR BARR:** As members are aware, Minister Fitzharris is in Alice Springs chairing the health ministerial council. In Minister Fitzharris's absence, Minister Rattenbury will take questions in the health portfolio. On his birthday, Minister Gentleman will take questions in Transport and City Services. I will take questions in Higher Education, Training and Research.

**MADAM SPEAKER:** That is a birthday gift to remember, Mr Gentleman.

## **Questions without notice**

### **Land—Dickson land swap**

**MR COE:** My question is to the Chief Minister. I refer to comments by the Auditor-General during estimates, on 22 June, about the Tradies land swap. The

Auditor-General said that she could not rule out criminality due to a “complete lack of those records”. Minister, have you called in the police to investigate any possible criminality in the Tradies land swap deal?

**MR BARR:** No, I have not. I also note that the Auditor-General could not rule that in either and that she has made no such findings to that effect.

**MR COE:** Chief Minister, have you called in any external auditors to investigate potential criminality regarding the Tradies land swap deal or any other matter regarding that deal?

**MR BARR:** No.

**MR WALL:** Chief Minister, have you ordered an internal audit into the missing documents or other elements of concern regarding the Dickson land swap?

**MR BARR:** Yes. There are processes underway in that directorate in an attempt to ascertain the veracity of this claim of missing documents. The auditor has been communicated with by the director-general of the planning directorate seeking to find further information from her as to the nature of the documents that have been alleged to not exist or exist, depending on the circumstances of the inquiry.

The Auditor-General, obviously, is in the best position to advise the director-general, the Assembly and the community as to exactly what is alleged to be missing but until that process is complete it is difficult for me to comment further.

### **Gaming—poker machines**

**MS LE COUTEUR:** My question is to the Minister for Regulatory Services and relates to poker machines. Minister, last year’s budget papers show that gaming tax revenue is expected to rise every year in the forward estimates from \$34.2 million in 2017-18 to \$38.8 million in 2021-22. Why is the government predicting a rise in gaming revenue despite the policy of reducing the number of poker machines?

**MR RAMSAY:** I thank Ms Le Couteur for her question. The predictions come from a range of areas. The key thing that the government is keenly focussed on is ensuring a reduction in the number of gaming machines, along with a range of other harm minimisation measures that we have been putting in place and that we will continue to put in place. The government’s focus is on that at the moment. We will work with the clubs and with the community more generally to ensure that there is good protection and ongoing reduction and diversification in gaming machine venues away from a reliance on gaming machine revenue.

**MS LE COUTEUR:** Has the government done any modelling work to work out when revenue from gaming machines will actually start to decline and how many machines will have to be removed for this to occur?

**MR RAMSAY:** Acknowledging that a number of areas of that are actually sitting in the area of the responsibility of the Treasurer rather than the Minister for Regulatory

Services, which looks at the oversight and regulation of the area, what I can say is that it is a far more complex thing than simply the number of machines equating to gaming machine income.

What the government will continue to do, and certainly from my portfolio responsibilities we will continue to do, is to assist clubs in a number of ways away from relying on gaming machine revenue.

**Mr Barr:** May I add to the answer as it does relate to my portfolio?

**MADAM SPEAKER:** Clerk, is there a capacity—

**Mr Barr:** If the clock has stopped, that is okay; depending on what the supplementary is, I may be able to assist.

**MR PARTON:** Minister, if gaming tax revenue is forecast to go up while your machine reduction is going on, does that not suggest that the machine reduction has no effect whatsoever on the level of poker machine gambling in the territory?

**MR BARR:** A range of tax lines are impacted by general economic activity as well as contributions from a number of different sectors of gaming activity. Members would be aware that the territory's total gaming tax take is broader than just that of poker machines; it also includes activity at the casino, interstate lotteries and the like. There are a range of taxes on gambling products.

Tax lines are also impacted not only by the rate of general economic growth but also by population growth, so another factor that members would need to consider is the number of people undertaking gaming activities. As our population grows each year, most of our revenue lines grow each year. The interesting analysis that members may want to consider is whether this is nominal or real growth. They would then need to look at inflation, population growth and a range of other factors before reaching the conclusion that the shadow minister has already leapt to, I think without undertaking that analysis.

### **Energy—national energy guarantee**

**MR PETTERSSON:** My question is to the Minister for Climate Change and Sustainability. Minister, what are the issues of concern with the federal government's proposed national energy guarantee?

**MR RATTENBURY:** I thank Mr Pettersson for the question. The ACT has expressed a number of concerns with the policy. These are concerns that we share with some of the other jurisdictions. I think it boils down to what the promise of the NEG has been. The federal government has made a great deal of four key things: emissions reductions, reliability, certainty and costs. On each of those we have concerns that the NEG is not going to measure up as promised.

Certainly, when it comes to emissions, it is quite clear that, with the national energy guarantee—and this has been well modelled—the target of just 26 per cent emissions

reductions from the electricity sector will have very little impact; in fact that target will be met very early in the decade, perhaps in 2021 or 2022, when this is a target, out until 2030, which will clearly stall progress in the electricity sector when it comes to transitioning to a clean energy future.

The second one is reliability. It is clear from the design of the mechanism now that the reliability mechanism is unlikely to ever be triggered. This is probably a good thing, but I think that, in terms of the significant national discussion that has gone on, and the calls for more reliability, this is not the issue that it has been claimed to be.

When it comes to certainty, there is no doubt that because of the meagre target that is being set by the federal government under their legislation—the one that they are proposing—the target will be revised as soon as there is a change of government at a federal level. So I think that the claim of certainty is one that is being oversold in this context.

When it comes to costs, with the modelling—which is yet to be publicly released, I might add, and that is of itself a concern—of the \$550 that is claimed, only \$150 will come from the NEG. This is a question mark as well.

**MR PETTERSSON:** How would the national energy guarantee impact the renewable energy sector, of which the ACT government has been a great supporter?

**MR RATTENBURY:** The renewable energy sector has been one of the most vocal critics of the national energy guarantee. They feel it will have a significant detrimental impact on an industry that is rapidly growing and rapidly creating new economic opportunities and new employment opportunities. We have seen the Smart Energy Council perhaps as the most vocal critics but, as people whose members are made up of the wind and solar firms that are making these investments in Australia, they see the impact that this is likely to have because of that stall in investment linked to the lack of ambition in the emissions reduction target.

We are very concerned in the ACT. We now have the advantage of having a number of companies headquartered here in the territory as a result of our early moves on renewable energy. Those are the very companies that are expressing concerns about their own viability because of the impact of the national energy guarantee.

**MR STEEL:** Minister, would the proposed national energy guarantee slow the growth of progress already made towards a reduction in carbon emissions?

**MR RATTENBURY:** I thank Mr Steel for the supplementary question. It seems almost certain that it will. As I have touched on, much of the modelling that has been done indicates that the 26 per cent emissions reduction target will be met early in the decade. Therefore there is no motivation and there is a lack of a market signal or any other kind of government policy signal to encourage further innovation and further movement towards the clean energy sector.

I am deeply concerned about the medium-term transition here. Slightly beyond 2030, modelling by the Energy Security Board shows, significant numbers of

coal-fired power stations in Australia will reach the end of their useful life. If we have had a stall in investment in renewable energy between 2023 and 2030, we are going to be very poorly positioned as a nation when those coal-fired power stations start to close.

### **Land—Dickson land swap**

**MS LAWDER:** Chief Minister, you said in question time on 31 July and again today that an investigation is underway into alleged missing documents regarding the Tradies Dickson land swap. Who is conducting the investigation into alleged missing documents and when will it be completed?

**MR BARR:** As I mentioned in my response to the previous question, the director-general of the planning directorate has sought further information from the Auditor-General in relation to the matter. I do not have a time frame. To a certain extent, if the missing documents exist and are found then that presents a time frame. But the search for non-existent documents could, in theory, go on forever.

**MS LAWDER:** Chief Minister, will the outcome of this investigation into the alleged missing documents be made public?

**MR BARR:** If the documents, a, exist and, b, are found, then, yes, there would be a huge amount of public interest. If the documents do not exist and/or cannot be found, then there is nothing to make public.

**MR COE:** Chief Minister, when did the government initiate the investigation into these missing documents? How long have you been waiting for the Auditor-General to get back to the Director General?

**MR BARR:** It was initiated when the allegations that the documents were missing were aired, I understand. That would potentially have been during the audit process. I do not have an exact date. As to the second part of the question, that remains to be determined.

### **Land—Dickson land swap**

**MR WALL:** My question is to the Chief Minister and Minister for Economic Development. Minister, was a staff member from your office in regular contact with officials from economic development and/or the LDA regarding the Dickson Tradies land swap?

**MR BARR:** It would be routine business for staff members to be following up on cabinet decisions. What constitutes regular contact would appear to be, from a statement made by an official, every couple of weeks, which is not unreasonable. You would expect staff to be in contact with departmental representatives, probably on a weekly basis. I am briefed by most of my directorates on a weekly basis, and there would be follow-up actions that would come from weekly briefings. This was clearly a cabinet decision to alter the course of a process where the then directorate had a preferred outcome. The directorate's preferred outcome was not supported by cabinet.

Cabinet took a different view, and the staff member would have been ensuring that the cabinet decision was followed.

**MR WALL:** Chief Minister, did this staff member regularly report to you and/or senior staff in your office about the progress of the land swap?

**MR BARR:** Again, infrequently. I would seek follow-up on cabinet decisions and their implementation, not on a daily or weekly basis but to ensure that time lines that cabinet agreed to were being followed. That would be one of the fundamental jobs of both directorates and ministerial staff. I would not overstate it so as to say “regular”. I would say that it would be a part of that staffer’s job to ensure that those particular projects that had cabinet time frames, and decisions associated with them, would indeed be followed through.

I do not as a matter of practice have the opportunity to meet with every single staff member every single day on every single issue. It is just not possible for ministers. But this issue—

**Mr Coe:** This was a very special issue, wasn’t it?

**MR BARR:** No, it was not. This issue was far from being a very special issue. It was simply needing to be assured that the cabinet decision, which was to pursue the process that cabinet had determined, would be followed through by the directorate, given the directorate’s own preference to go a different way.

**MR COE:** Chief Minister, did your staff member concerned or another staff member regularly follow up on all property deals approved by cabinet that were undertaken by EDD or the LDA?

**MR BARR:** It is difficult to say exactly. To answer the opposition leader’s question, staff members would follow up on cabinet decisions, whether they related to EDD, LDA or, indeed, any other portfolio. That is part of the government decision-making process and then following through on cabinet decisions. This is a fairly routine matter that you would expect both ministerial and directorate staff to follow up on when cabinet makes a decision. A range of follow-up actions are required both from ministerial offices on occasion and in most instances from directorates. Ministerial staff will engage with directorates to ensure that cabinet decisions are enacted.

### **Government—emergency relief and financial support services program**

**MR STEEL:** My question is to the Minister for Community Services and Social Inclusion. Minister, can you update the Assembly on the outcomes of the redesign of the emergency relief and financial support services program?

**MS STEPHEN-SMITH:** I thank Mr Steel for his question and for his genuine interest in this topic. I am, indeed, delighted to share with the Assembly today the outcomes of the redesign of the emergency relief and financial support program. As members may be aware, the latest *Inequality in Australia 2018* report, launched

yesterday by the Australian Council of Social Service and the University of New South Wales, underscores that growing inequality is an issue of national concern.

While Canberra is a wealthy city, many Canberrans experience financial distress at various points in their lives. Emergency relief and financial support services provide short-term support to individuals and families experiencing disadvantage or financial crisis. In 2017, the ACT government undertook a redesign process for this program, engaging with the community sector to better understand the nature of poverty in our city and the emerging needs of the community.

This process highlighted that support needed to extend beyond the provision of immediate financial or material aid and that people who seek this support may also benefit from services to help them address issues in key areas of wellbeing. This has resulted in a more strategic approach in these services to ensure that Canberrans get the support they need when they need it.

Following my announcement in June, I am pleased to confirm that the new emergency relief and financial support services commenced from 1 July with six community organisations: Care Inc, Lighthouse Business Innovation Centre, OzHarvest, St Vincent de Paul, the Salvation Army and UnitingCare Kippax.

Between them, these community organisations will be funded for a total of almost \$6.5 million over three years to deliver a range of services, including the ACT microcredit program, emergency material and financial aid, financial counselling, food assistance and the no interest loan program.

I look forward to hearing from the community as these providers continue to make a difference to the lives of many Canberrans.

**MR STEEL:** Why was it important to engage with the ACT community in the redesign of this program?

**MS STEPHEN-SMITH:** I thank Mr Steel for the supplementary. The redesign process was very important to enable the ACT government to leverage the knowledge and experience of the community sector to identify how emergency relief and financial support can better serve those in need.

The Community Services Directorate commissioned a report from leading researchers at the Public Service Research Group at the University of New South Wales, bringing together insight from national and ACT data, existing providers and those who work with the most vulnerable in our community.

Emergency relief is a stop-gap measure to help people with immediate and unplanned short-term financial difficulties. It includes food, household goods, clothing, transport, assistance with prescription medicines, utility payments and other vouchers. Many people accessing emergency relief have not needed this kind of help before, people whose relationships have broken down or who have lost their jobs, for example. These are people who could very easily end up in a worse place or whose lives could be turned back around with the right support.

The report recognised the important role many emergency relief providers therefore play in being the first point of contact for vulnerable Canberrans. The report highlighted existing good practice in the sector and the need to further develop a model in which vulnerable families are supported, included and referred to appropriate services. By helping to link families and individuals to information where appropriate, emergency relief providers can play a role in enabling people to participate in school and community life, building capacity and resilience.

The report's findings along with conversations at two community forums helped to shape the new requirements for delivery of emergency service in the ACT, resulting in a greater focus on organisations taking a relational approach. Rather than simply focussing on poverty and its symptoms, this approach includes services such as advocacy, case management, counselling and referrals, all contributing to social inclusion.

**MS CODY:** Minister, how will this redesigned program better support Canberrans in need?

**MS STEPHEN-SMITH:** I thank Ms Cody for her supplementary question. This redesign has resulted in a more strategic approach in the investment in critical food assistance and emergency support services to ensure that Canberrans get the support they need when they need it. It also provided an opportunity to test the market and engage new service providers.

I was excited in June to welcome OzHarvest to the program for the first time, boosting the supply of fresh fruit and vegetables as well as helping to tackle the challenge of food waste. OzHarvest already rescues between 35,000 and 40,000 kilograms of fresh and frozen food each month in Canberra. Funding through the ACT government food assistance grants will enable them to rescue more food and get it to more agencies and charities.

I am pleased that this recent process built on the expertise of the sector and would like to acknowledge the collaborative work of the Community Services Directorate and community partners in implementing this redesign. Through the redesign process we found that Canberrans in need are looking for and hoping for more. The redesign allows organisations, both new and existing, to step up and provide better support.

Patrick McKenna, Director of Compliance and Governance at St Vincent de Paul Society Canberra/Goulburn, said in relation to Vinnies emergency relief programs:

We are very pleased to be able to continue our emergency relief support via our helpline and home visits provided by our employees and volunteer members.

Our people are passionate about helping those in need in their local community and this service has been at the core of our work to help people break the cycle of disadvantage since the St Vincent de Paul Society was founded in 1833.

Of course we would all prefer that emergency support not be needed. However, I am confident that these new measures will assist families and, through earlier intervention

and enhanced collaboration, support struggling families to reduce their reliance on crisis support.

### **Land—rural property acquisition**

**MR MILLIGAN:** My question is to the minister for planning and the environment. The government approved the subdivision of Fairvale to allow the seller's valuer to buy the most valuable part of Fairvale. The purchaser, a valuer for Knight Frank, had worked extensively for the LDA and had approached the former CEO of the LDA to agree to subdivide the land. The LDA had previously planned to purchase the whole property. Why did your directorate approve the subdivision of Fairvale?

**MR GENTLEMAN:** It was approached from LDA at the time to do the subdivision. LDA looked at the recommendations and conditions that were required for that transaction and went forward with the subdivision.

**MR MILLIGAN:** Minister, what consideration did your directorate give to potential conflicts of interest in the sale process?

**MR GENTLEMAN:** I thank Mr Milligan for the supplementary question. The directorate and staff always look at these sorts of issues when considering changes to the Territory Plan. They go through conditions. Obviously, many people in the directorate look at the different conditions that are imposed in those areas and look at the people involved in the processes to ensure that there are no conflicts of interest.

**MR COE:** Minister, how confident are you in the probity of your directorate's decision regarding the subdivision of Fairvale? Have you investigated it yourself, and who actually made the call to approve the subdivision? If you do not know the answer to these questions, will you take them on notice and report back to the Assembly this afternoon?

**MS BERRY:** Madam Speaker, I will take the part of this question with regard to investigations. Following the Auditor-General's report my office has asked for advice on the issues that have been raised by Mr Coe. I do not have that advice back yet. If I have legal advice and I can provide it, I will.

### **Land—rural property acquisition**

**MS LEE:** My question is to the Minister for Housing and Suburban Development. I refer to the Auditor-General's report *Assembly of rural land west of Canberra*, which found:

The former Land Development Agency gave inadequate attention to the establishment of contracts (licences/subleases) for the use and ongoing management of some rural properties to the west of Canberra that were the subject of this audit. This includes not collecting revenue from the first three purchases (Lands End, Milapuru and Fairvale), which the Audit Office estimates could amount to more than \$200,000.

Minister, what investigations have you ordered into the poor handling of these purchases?

**MS BERRY:** I refer the member to my last answer to Mr Coe's question regarding an investigation into that particular purchase, of Fairvale. I have asked for some advice on that issue, and on whether it needs to be investigated further. As I said, because I have asked for legal advice, if I am able to provide it then I will.

**Ms Lee:** Madam Speaker, a point of order.

**MADAM SPEAKER:** A point of order?

**Ms Lee:** Yes. I did ask about the three purchases: Lands End and Milapuru as well. Will that be included in the minister's update?

**MADAM SPEAKER:** Can you add to that?

**MS BERRY:** An audit response is being developed, and we will provide that when we can.

**MS LEE:** Minister, why has the Suburban Land Agency not completed land management agreements for the properties identified in the Auditor-General's report on the assembly of rural land?

**MS BERRY:** Sorry, Madam Speaker; I might just ask for that to be repeated. I was not quite sure what she—

**MS LEE:** Why has the Suburban Land Agency not completed land management agreements for the properties identified in the Auditor-General's report?

**MS BERRY:** The government is working on a response to the Auditor-General's report. As soon as that is available, it will be published.

**MR COE:** Minister, has the Suburban Land Agency received a breach of lease notification from the planning directorate regarding the lack of land management agreements?

**MS BERRY:** I will take that question on notice.

### **Housing—government sales**

**MRS KIKKERT:** My question is to the Minister for Housing and Suburban Development. Minister, I refer to *Canberra Times* reporting on your decision to sell 33 townhouses to the defence housing authority. Minister, why are you getting the Public Housing Renewal Taskforce to build housing for the Defence Force rather than for Canberrans suffering from housing stress and skyrocketing rent levels?

**MS BERRY:** First of all, as I have said previously, these particular houses that will be built were never planned for public housing. Having public housing in those numbers on those blocks would have meant a very high density of public housing in one area. Defence and the federal government recognised the great work that the renewal taskforce is doing and the quality of the product that it builds. They had a need to build housing for the great defence families, over 3,000 defence families, who live in our town and they were able to provide finance for that build straightaway. It was a good arrangement where there was recognition for the excellent work that ACT public servants have done through the renewal taskforce. It also provides a good social mix so that there is not a high density of public housing on that site.

**MRS KIKKERT:** What does a better social mix do for Canberrans who are denied an affordable housing opportunity?

**MS BERRY:** That is really quite a silly question. I have explained again and again that the whole purpose behind the renewal of public housing in the ACT was to provide higher quality, newer homes that were affordable for families to heat in winter and cool in summer: much more sustainable and environmentally friendly. They were also designed to make sure that we remove that high densification of low-or no-income people living together, which does not provide the social benefits that a mixed—

**Mr Parton:** If we say that, we're—

**MS BERRY:** All the experts say it Mr Parton. That is the case. There is advice from ACT Shelter, ACTCOSS—all the organisations that advise me on the decisions that government makes—that high density public housing does not lead to good social benefits for housing tenants. This program is about making sure that there is a good social housing mix all across the city, which is completely in line with the ACT government's salt and pepper policy of having public housing distributed all across our neighbourhoods. This is appropriate and gives us all the chance to have public housing tenants as excellent neighbours.

**MR PARTON:** Minister, how can you possibly argue that you aim to assist those suffering from housing stress when the Public Housing Renewal Taskforce is building 33 dwellings for the Defence Housing Authority?

**MS BERRY:** I am surprised that the Liberal Party are not supporting our defence families. Defence families are an important part of our community, indeed, for Australia as well. This is a great—

**Mr Coe:** It's bizarre.

**MS BERRY:** It is not bizarre at all; it is a very great outcome for a number of reasons: it provides a good social mix of housing; it provides housing for our fantastic defence families—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members on my left, please!

*Ms Lawder interjecting—*

**MADAM SPEAKER:** Ms Lawder, I did not invite you to say anything, so please refrain. The minister was asked a question and she is answering it. Please give her the respect to be heard.

**MS BERRY:** Thank you, Madam Speaker. As I said, this is a great outcome for recognising the fantastic work that the renewal taskforce has been doing in the ACT in renewing public housing and making better, more sustainable, environmentally friendly, more affordable homes for our public housing tenants. It is also a great outcome for the fantastic defence families, who we welcome into our city.

### **Emergency services—recruitment**

**MS CODY:** My question is to the Minister for Police and Emergency Services. Minister, what update can you provide about recruitment of firefighters to the ACT?

**MR GENTLEMAN:** I thank Ms Cody for her interest in our emergency services workers across the ACT. The government is committed to helping grow key services as our city grows. This is why the government is supporting our front-line emergency workers through additional measures. An important part of this is the commitment we made in last year's budget to fund the ACT Fire & Rescue recruitment program, the recruit college 39.

This recruit program not only helps recruit the firefighters that our city needs but also actively focuses on getting more female participation. Increasing the numbers of women in our emergency services is at the heart of the women in emergency services strategy, something I have spoken about in this place in the past.

Recruit college 39 resulted in 17 new firefighters, including two Indigenous firefighters and four female firefighters. This follows on from the nine firefighters who commenced duty as part of the recruitment in November 2017 and the 16 firefighters who joined ACT Fire & Rescue as part of the 2016 recruit college in October 2016.

This year's budget includes funding for a further recruit college for 18 new firefighters. I look forward to seeing the new recruits who come through as a result. Through the stewardship of the Chief Minister, this government is providing firefighters and paramedics, as well as more front-line staff in other areas, and also investing in the core services that a growing Canberra needs.

**MS CODY:** Minister, I note that you just mentioned paramedics in your answer. Has there been any recent recruitment of paramedics in the ACT?

**MR GENTLEMAN:** I thank Ms Cody for the supplementary question. Indeed I did mention this. Of course we need to grow services as the city grows, something that the

government is delivering on. In addition to new firefighters the government is providing new paramedics. Members may recall that last year the government provided funding to allow 24 additional staff for the ACT Ambulance Service, including 23 paramedics, and these are coming through. Recruitment is ongoing for ACTAS.

I had the pleasure of attending the ACTAS graduation ceremony in May. It was wonderful to see the 14 new staff who have qualified across a range of areas of service delivery, including Certificate III in non-emergency patient transport (NEPT), Certificate IV in ambulance communications and authority to practise as an intensive care paramedic.

The safety of our community is paramount. Graduates are now fully equipped for the day-to-day challenges of working for the ACT Ambulance Service across a range of services provided. The graduates will serve the community in their time of greatest need. I have no doubt that they will contribute positively to the service, building on its strong reputation in recording the best response times in the country over the past six years and the highest levels of patient satisfaction. We are supporting our paramedics with additional staff as well as new equipment and fleet upgrades.

**MS ORR:** Minister, having spoken about recruitment of firefighters and paramedics, are you able to advise if ACT Policing has had new recruits recently?

**MR GENTLEMAN:** I thank Ms Orr for her interest in ACT Policing matters. Police officers, like firefighters and paramedics, do an important but difficult job in keeping our city safe as it grows. I am pleased that in the past few years we have been able to fund new initiatives for ACT Policing. The most recent budget included funding for the upgrade of equipment, as well as six new positions.

In my role, I am privileged to see firsthand the fantastic work our police do, and I understand the rigorous and thorough training that they undertake to join our force. That is why the graduation ceremony is such an important milestone for new recruits and a proud moment for their families. I was fortunate to attend the recent graduation ceremony and saw 25 new uniformed officers being sworn in who will join the ranks of ACT Policing. I also had an opportunity to talk to their families. It is clear that these new recruits are committed to serving and protecting our Canberra community as the city grows.

Keeping our city safe, delivering services and planning and building the infrastructure that our growing city needs is what this government has done, and will continue to do as we make the city even better.

### **Housing—affordability**

**MR PARTON:** My question is to the Minister for Housing and Suburban Development. I refer to comments by former senior treasury official Khalid Ahmed in the *Canberra Times* of 16 July 2018 about the government's revenue driven land release policy. Dr Ahmed said:

... the one thing that doesn't lie is the movement in price and the rising dividend the government is receiving ... I see it's a problem of the government's own making, because it causes an economic and social problem.

Dr Ahmed concluded that the government had made things worse as its exclusive control of zoning and pricing of land has driven up prices.

Why has the ACT government made housing affordability worse?

**MS BERRY:** I thank Mr Parton for the question. However, I would say that it is this government's view that land in the ACT should be managed by the ACT government. I would much rather see land and profits from land sales going to the community via the government than going into the pockets of private developers and others. Whilst private developers do have a role in this town, and they are providing some developments, I would much rather see funds for housing and land development go back to the ACT government and then be provided for services for the community.

With regard to housing affordability, Mr Parton, too, attended the summit last year and was part of the discussions, I believe, on all of the ideas that have come through from all parts of the community about how we resolve this very complex issue. As the government has been working towards developing a strategy to manage housing affordability and other issues to support people who are homeless or experiencing homelessness, it has been taking action on a whole raft of measures, including such measures as: providing taxes on vacant premises to, hopefully, get more houses into the market; setting up an affordable housing website so that people can enrol and register for affordable housing which is highly targeted and goes to the people who need it; and a setting a land supply target of 4,000 a year, which is significant and will make a difference for people to be able to get into homes of their own.

**MR PARTON:** Irrespective of arguments about developers not being involved, why is the ACT government continuing to receive an increasingly rising dividend as housing affordability and homelessness is getting worse?

**MS BERRY:** As I said, I would much rather that the funding returns to the community via the ACT government to build new hospitals and to build schools for our growing population in the ACT. I guess that what the Liberal Party is asking for here is some kind of reaching into and mucking around with the market. If that is the suggestion—that we actually muck around with the market—that will mean that people who have purchased homes will have mortgages above what other people are paying in the future. If that is the suggestion, I will be very interested to see the Liberal Party's affordable housing policy. They have not had one previously, and I look forward to seeing it when it is developed and seeing that it will include some market interference by the Liberal Party around housing and land prices in the ACT.

*Opposition members interjecting—*

**MADAM SPEAKER:** Mr Coe and Ms Lawder, please. Minister, have you concluded?

**MS BERRY:** I want to complete my answer by making it very clear to Mr Parton and the Canberra Liberals that homelessness has improved in the ACT. The ACT government has improved its support for homelessness and compared to the increase in the rest of the country the ACT's homelessness numbers have gone down. That does not mean that the ACT government will stop responding—as we always will, as a good, socially progressive government—to ensure that we support people, whether they are sleeping rough, whether they are seeking housing or whether they are seeking a home to rent. Everybody deserves to have a home and the ACT government will continue to work on that. I look forward to releasing the housing and homelessness strategy later this year. *(Time expired.)*

**MRS DUNNE:** Minister, when will the government start releasing more land to ease the land affordability crisis in the ACT?

**MS BERRY:** We have just released a land release program. I draw the attention of members opposite to that.

### **Australian Labor Party—preselection**

**MISS C BURCH:** My question is to the Chief Minister. I refer to two dirt sheets on a Labor preselection hopeful which were distributed to members of the Labor Party. One of these documents is reported to have possibly forged documents attached. A former ACT Labor minister said that only party officials or public officeholders including MLAs would have access to the memberships used to circulate these dirt sheets. Chief Minister, will you absolutely guarantee that no-one in your office was aware of or involved in the creation or distribution of this material?

**MR BARR:** Yes.

**MISS C BURCH:** Chief Minister, have police or other investigators spoken to any MLAs or their staff about possible involvement in the creation or distribution of this material?

**MR BARR:** I do not believe so, no.

**MS LEE:** Chief Minister, what actions have you taken to ensure that no member of your ministry, your caucus executive or MLAs' staff were involved in the production or distribution of this material?

**MR BARR:** I am very confident in the integrity of everyone within the government, and I would have no reason to believe that anyone would be involved in such activities.

**Mr Coe:** A point of order.

**MADAM SPEAKER:** A point of order?

**Mr Coe:** The specific question was: what actions have you taken to ensure that no member of your ministry, your caucus executive or MLAs' staff were involved in the production or distribution of this material? The Chief Minister has not answered what action he has taken and I ask that he be directly relevant.

**MADAM SPEAKER:** His answer has gone to the point, the ideal, of the question. Do you have anything to add, Chief Minister?

**MR BARR:** As I said, Madam Speaker, and I repeat: I am absolutely confident in the integrity of all members of the government and of staff in this place, and that they would not be involved in such activities.

**Ms Lee:** In other words, nothing.

**MR BARR:** The allegation that has just been made by Ms Lee is disgusting.

### **Canberra Hospital—safety**

**MRS DUNNE:** My question is to the Minister for Mental Health. Minister, non-removal of ligature points at the Canberra Hospital was identified as an extreme risk by the accreditation committee. For the information of members—I am sure you know, Minister—a ligature point is anything that could be used to attach a cord, a rope or other material for the purposes of hanging or strangulation. Media reports on 12 July claimed that the removal of ligature points had been delayed by a year and was expected to be completed by August or September. This is something that ACT Health has known about for some time. A spokesman for ACT Health was quoted in the media story as saying:

“It’s not a cheap process so that did take ACT Health some time to work through how that was going to be funded.”

Minister, why did budget considerations delay the removal of the extreme risk ligature points in the Canberra Hospital?

**MR RATTENBURY:** That is a fair question that Mrs Dunne has asked. I can inform the Assembly that when this matter was brought to my attention in the second half of last year as a potential budget bid, I discussed it with the acting director-general at the time and said I was not prepared to wait for this to be a budget bid and it had to be dealt with immediately. The acting director-general at the time, who happened to be the Under Treasurer, agreed with me. At that point, matters were sought to be progressed rather than waiting for a budget case to come through.

**MRS DUNNE:** Why is it that the adult mental health unit had ligature points, given that it was opened in 2012 and should have been state of the art?

**MR RATTENBURY:** That is also a good question and one that certainly crossed my mind in coming into the portfolio. I think it is a reflection of the fact that the standards are changing, and changing quite rapidly. The reason there is that the particular

ligature points identified in the accreditation report, and that had been identified prior to that, are in fact, without getting into too much detail, doors and door frames.

The new standard is that doors should have a pressure pad point on them, an electronically activated pressure pad, so that if someone does seek to use them as a ligature point, an alarm is activated and staff are notified straight away.

My advice is that in 2012, and presumably before that when it was being designed, that was not considered to be the standard considered necessary for an adult mental health unit and I think you will find that many mental health units in Australia do not comply with that standard now.

**MR WALL:** Minister, have the extreme risk ligature points at the Canberra Hospital been removed yet? If not, when will they be removed?

**MR RATTENBURY:** In part, the answer is yes. There are two doors identified for each accommodation unit. One is the door to the bathroom, or the ensuite, in each of the accommodation areas. Those doors were removed immediately. The external door from the accommodation unit into the corridor is obviously more problematic from a privacy perspective.

Also, the actual changeover of the doors is a difficult technical exercise. A prototype door—I will have to check this, and if I have up-to-date information I will provide that on notice—has recently been developed and is being tested. My expectation is that a transition process will begin for those doors in the coming month, if it has not already commenced.

### **Access Canberra—construction measures**

**MS ORR:** My question is to the Minister for Regulatory Services. Can the minister outline recent measures to help support Access Canberra ensure good quality building in Canberra?

**MR RAMSAY:** I thank Ms Orr for the question and her demonstrated interest in good quality building here in Canberra. I am pleased to say that the government is getting on with the job and working to improve the quality of building in the territory. We currently have licence examinations for those applying for C class licences. By the end of this year, that will have been rolled out and extended to B and A class licences. This means that people seeking to become builders here in the territory will need to prove that they have the skills and the knowledge necessary to enter the industry before they become a licenced builder.

We will also roll this test out to one in five renewals of builders licences to ensure that those in the industry have knowledge that is current and reflects the building code of the day. These exams can also be used as a skills assessment at any time while they hold a licence where we believe that someone's knowledge is not up to scratch to see whether they should continue to hold a licence.

In the budget, the government has also provided funding for two additional building inspectors for Access Canberra. These inspectors will initially be focussing on clearing current cases to ensure that quick and appropriate action is taken against builders where a complaint has been substantiated against them.

Access Canberra has also established a rapid regulatory response team to respond to building complaints. This team is able to undertake site inspections to quickly determine whether there is or there is likely to be a building code breach, to close off complaints in a more timely manner where no regulatory response is warranted or required, allowing the remainder of the inspectors to focus on existing and more complex cases. These are just a few of the measures we are taking to improve the quality of building here in the ACT.

**MS ORR:** Minister, can you outline how we are communicating this to builders?

**MR RAMSAY:** I thank Ms Orr for her supplementary question. Just a few weeks ago the Construction Occupations Registrar, the statutory office holder responsible for builders licences, wrote to all licence holders who had a substantiated complaint made against them with Access Canberra and informed them that the next time they seek to renew their licence they will need to undergo a licence exam. This sends a clear message to the industry that if you build poorly and the regulator determines that you have breached the building code we will be checking to see if you still have the knowledge and skills to continue in the industry. From next year, 20 per cent of those who renew their builders licences will sit the exam. This will include all of those builders I just mentioned who have a substantiated complaint recorded against them by Access Canberra.

Through this process Access Canberra has been working with industry groups such as the MBA and HIA as well as training providers such as CIT to discuss the changes, including providing information resources for these organisations to pass on to their members. All licensed builders have also received a message by text where we have a mobile number for them. That is over 3,000 licensed builders who have been put on notice that we expect those building in the territory to do so at the required level.

**MS CHEYNE:** Minister, could you please outline why these measures are so important?

**MR RAMSAY:** I thank Ms Cheyne for the supplementary question. These measures are important because buying a home is often the biggest investment that someone will make in their lifetime. The government wants to do what it can to ensure that it is a sound investment.

The government intends to make sure that only those with the appropriate skills and knowledge are building in the territory. That is why we have been systematically rolling out changes to the system since 2016, after a review. We will continue to roll out changes to ensure that there is confidence in the building system here in the ACT.

We will certainly not be apologising for setting the bar high to enter and to stay in the building industry. The ACT government is committed to improving the quality of buildings in the territory and compliance with building laws is a priority for Access Canberra.

Additional resources have been committed in both policy and operational areas to achieve this outcome. This includes inspectors and auditors who work cooperatively with industry to ensure that both builders and buildings comply with the regulatory framework. There are many builders in the ACT who are doing the right thing and building quality buildings. We want to ensure that they can continue to do so and that they are not squeezed out of the market by those who are doing the wrong thing.

### **Chief Minister—Asia trade mission**

**MS CHEYNE:** My question is to the Chief Minister. Chief Minister, can you give the Assembly an overview of the various inbound investment opportunities you highlighted during your recent trade mission to Asia?

**MR BARR:** I thank Ms Cheyne for the question.

*Mr Coe interjecting—*

**MADAM SPEAKER:** Resume your seat, please, Chief Minister. Stop the clock. Mr Coe, I have asked you a number of times to refrain from interjecting. Please, see if we can get to the end of question time without my calling you again. Chief Minister.

**MR BARR:** The primary focus of the mission was, of course, on investment, trade and tourism opportunities. I met with 10 financial institutions across the three Asian markets that we were participating in with this trade mission. We took the opportunity to promote a range of property investment opportunities across those three markets. These are, of course, large commercial investors.

I am very pleased to advise the Assembly of the significant interest, firstly, for investment in Australia. Our nation is seen as a stable and secure place for investment and there is growing interest in Canberra particularly, given recent moves by state governments in New South Wales and Victoria to put in place a range of measures to discourage foreign investment, particularly in their property markets. We have, I think, a very positive story to tell, and that was well received across the three markets.

In addition to inbound investment, the government also focused on opportunities in partnership with the CBR Innovation Network and ANU Connect Ventures to secure more venture capital for start-ups and SMEs in Canberra. That included a series of pitches from those start-ups for that venture capital direct to the series of forums, particularly one in Singapore.

In Hong Kong I had the opportunity to meet with the Ovolo hotel group to pursue tourism investment opportunities. *(Time expired.)*

**MS CHEYNE:** How does engagement in international financial markets benefit the territory?

**MR BARR:** We are one of only a handful of sub-national governments around the world that hold a AAA credit rating. That is a very attractive proposition for international investors. Diversifying our bond program in terms of the split both between international and domestic investors and between bank balance sheets and other asset managers not only assists to drive down the cost of borrowing for the territory but also enables further engagement with international financial markets on investment opportunities for the ACT.

These particular approaches in the international bond market have been well received. I can advise that when the ACT went to market earlier this year, three of the significant international investors who participated in our bond offering were institutions that we had met with during our earlier bond roadshow.

This is important for the territory's long-term infrastructure needs. We meet the bulk of our infrastructure program through asset sales and through our cash surplus but we also will borrow for significant long-term infrastructure for the territory, the same as all other Australian states and territories and, indeed, the Australian government. That is part of prudent infrastructure investment. Sourcing that capital at the lowest possible cost with the most diverse range of financiers is common sense.

**MR PETTERSSON:** Chief Minister, have there been any direct outcomes to local Canberra businesses or start-ups as a result of the mission?

**MR BARR:** Yes. I am very pleased to advise that a number of businesses have already received investment or are close to securing investment as a result of their participation in the trade mission.

We have significant interest in commercial property in the ACT across a range of asset classes and a range of different markets. The Canberra Business Chamber worked with six Canberra businesses to explore opportunities in Singapore. Participants have reported making important contacts and will continue to engage with investors and markets. An example is the local producer Majestic Mushrooms. Their story appeared in the media following their participation in the mission. They are now looking at stepping up their production to meet new market demand in South-East Asia.

Investors also responded favourably to presentations given by the eight Canberra start-up companies at the innovation network investor showcase. The innovation network at ANU Connect Ventures will be assisting these start-ups with follow-on connections.

I was also very pleased to hear that VSI Singapore, a technology manufacturing company, has reached broad agreement to invest \$3 million in the new Significant Capital Ventures venture capital fund to invest in Canberra regional companies.

We also are confident that our initial engagements with Hong Kong Airlines will be productive in the medium term and we look forward to further engagement with tourism industry stakeholders in the south-east Asian region as we continue our efforts to improve international connectivity to Canberra. Of course, this approach worked with Singapore Airlines. We continue our partnership with Qatar Airways, and we will always seek to encourage new airlines to fly to Canberra.

I ask that all further questions be placed on the notice paper.

## **Supplementary answers to questions without notice**

### **Gaming—poker machines**

**MR BARR:** Ms Le Couteur asked a question, and Mr Parton a supplementary, relating to the increase in gaming tax revenue projected over the forward estimates. In my answer I alluded to a range of factors that will contribute to that.

In addition, I draw both Ms Le Couteur's and Mr Parton's attention to page 239 of budget paper No 3, which outlines that:

Gaming tax revenue for 2018-19 and beyond includes a provision for the point of consumption wagering tax. The tax will be introduced on 1 January 2019 and will be set at a rate of 15 per cent of the net wagering revenue received by betting operators from bets placed in the ACT, or bets made online by ACT residents.

That provision accounts for the bulk of the increase projected in gaming tax revenue. So in this instance, in addition to general economic activity and population growth, Ms Le Couteur, there is also a new tax, and that adds to the gaming tax revenue. We will be introducing that bill tomorrow, I understand. I have given notice of that. Members can consider that bill. But it is a tax line that I have announced previously. All other Australian states and territories are introducing that tax line. I think it is entirely appropriate that gaming revenue be increased to tax that particular form of gaming activity, and I will have more to say about that in the chamber tomorrow.

**MS LE COUTEUR:** I seek leave to explain something. Mr Barr has not answered the question I actually asked.

Leave granted.

**MS LE COUTEUR:** Mr Barr, my question deliberately referred not to the latest budget but to the figures in the budget before. Because I knew there was a new tax and I did not know how to separate them out, I went to the year before.

**MR BARR:** I again draw Ms Le Couteur's attention to the budget papers, which had both a provision for that new revenue initiative and the forecast over the forward estimates period. But my initial answer remains. Factors that contribute to increasing revenue include inflation, wage increases and population growth, and the increase in that tax line as a proportion of the overall tax line is minimal. You would need to undertake an analysis of both.

Ms Le Couteur has just looked at the nominal side. She has just looked at a figure that goes up and does so by several hundred thousand dollars each year, not millions and millions. It reflects population increase and general economic activity increase. In this year's budget you will see that the difference, which I think is about \$34 million, rising to \$35 million and then \$36 million and then increasing, includes the provision for the point of consumption wagering tax. There is a new tax. That is why the revenue line is increasing.

The other factor that will contribute to the overall increase will of course be the level of utilisation of poker machines. Not all machines in the ACT are 100 per cent utilised at this point in time, and even with a reduction from 5,000 to 4,000 it is unlikely that all poker machines will be 100 per cent utilised throughout the available span of hours when those machines are operating.

**Mr Parton:** But it actually doesn't achieve anything.

**MR BARR:** Undoubtedly a reduction in the number of poker machines does have an impact. The only way to completely eliminate that impact, which is a position I am sure Mr Parton supports, given his very strong views on this matter, would be to abolish poker machines altogether. But Mr Parton believes that gambling addiction is like chocolate addiction. That is the level of public debate from the opposition on this matter. *(Time expired.)*

### **Canberra Hospital—safety**

**MR RATTENBURY:** Mrs Dunne asked me about ligature points. I now have some more specific details to provide her.

**Mrs Dunne:** Order! Can I hear this, please?

**MADAM SPEAKER:** You are requesting no interruptions, Mrs Dunne? Not that I can make comment from the chair—but please, all members.

**MR RATTENBURY:** Phase 1 of the work commenced on 23 April 2018 with the removal of ensuite doors, ensuite door barricade flaps and door closers that represent the highest ligature risk. As of June 2018, all the works included in the phase 1 scope of work had been completed. Phase 2 work includes the remaining ligature minimisation works throughout these two facilities, excluding the bedroom doors. Those phase 2 works are currently underway.

As I touched on in my earlier answer—this is just more detail—phase 3 involves the bedroom door replacement, which includes the electrostatic viewing panels. These are panels that avoid people having to disturb clients in their rooms. It is a feature of the new UCH. And there is hardwired access control for both the doors and the viewing panels, which also means that door handles can be removed. These works are scheduled to commence after completion of phase 2 in August 2018.

## **Administration and Procedure—Standing Committee Membership**

**MR WALL** (Brindabella) (3.38): In accordance with standing order 223, I move:

That, notwithstanding the provisions of standing order 16, Mr Wall be discharged from the Standing Committee on Administration and Procedure between 10 August and 16 August and that Mrs Dunne be appointed for that same period.

Question resolved in the affirmative.

## **Australian Space Agency**

Debate resumed.

**MS LE COUTEUR** (Murrumbidgee) (3.38): I rise today to lend my support to this motion. I agree with my colleague Ms Cheyne that Canberra is of course the rightful permanent home for the Australian Space Agency. Canberra offers inter-industry, interdepartmental government support.

We have a strong history of science collaboration with the United States in particular, and we have our own history of stellar academic research via Tidbinbilla and Stromlo. I remember visiting both of these as a child. They were, at that time, absolutely wonderful places to be. I use the word “wonderful” in its original sense: a place of wonder. I mean, Mount Stromlo is there purely for people to wonder about the rest of the universe and what is there. Tidbinbilla was there largely for the same purpose.

Having an ACT-based space agency will not only mean repositioning Australia as a global leader in the space industry; there are, of course, a number of other benefits on a local level. Such a decision would create jobs, diversify existing businesses and departments and enable us to provide jobs so that STEM graduates can stay in the bush capital. For too long many of our best and brightest in this field have moved overseas for employment opportunities. We could offer these opportunities locally, and this would mean we could encourage even more of our young people to study STEM subjects. Placing the national Space Agency in Canberra will strengthen inter-industry and international partnerships. Canberra can and should be the hub of these collaborations, which will boost the economy and inspire our young people.

Space technologies have greatly improved our ability to understand our natural environment. Satellite remote sensing has provided major developments in natural disaster prediction, environmental science and climate change studies. All of us who are concerned with climate change will know that NASA, and James Hansen, was one of the early organisations that really told the world that climate change is real, is happening and is going to significantly impact us.

Space technology, while obviously being relevant to outer space, is clearly relevant to climate science. Satellites can record how the oceans are warming, in turn allowing

researchers to track the effects of climate change on important ecosystems like coral reefs. The space industry feeds into so many other industries, helping meteorologists, geographers and the agricultural industry, to name but a few, to monitor soil, snow, drought, crop development and rainfall. These technologies allow us to better connect one with another.

Satellite communications can enable global connections and the sharing of expertise, helping aid workers and reaching people in rural areas otherwise overlooked and totally inaccessible. These technologies have greatly improved our abilities to understand the natural environment and connect with one another. I am really hopeful that Canberra may be the birthplace for some future good technological advances.

While technological advances are important, we should not get carried away. The large-scale funds which are being put into space exploration would go a long way towards fighting climate change and other social and environmental problems here on earth, such as the loss of biodiversity, poverty both here and abroad, and support for those seeking asylum. We cannot really think that we can solve the problems of the world by moving to another planet. Whatever problems we are creating here, the problems of human populations in outer space would be vastly greater, I think, despite having spent most of my childhood reading and enjoying science fiction.

On another less optimistic note, I am concerned about Ms Cheyne's promotion of war industry companies such as Northrop Grumman and Lockheed Martin. These companies manufacture weapons that result in the deaths of many people. People all around the world should be reducing the amount of time and money that is spent on weapons manufacturing. Furthermore, we really should ensure that there is no Australian involvement in the militarisation or privatisation of space. Space should be for everybody and the peaceful use of space and related technologies should be stressed above all else.

The space sector is rapidly morphing and growing and we need to ensure that our regulatory system can keep up. This means up-to-date space laws. They should be negotiated internationally where required and promote access to the benefits of peaceful space technologies to all countries, not just wealthier countries such as our own.

Should Canberra become the national home of the Australian Space Agency, there is a bright opportunity for us to also become the national home, and possibly the international home, for space ethics. We already have the world's highest concentration of space ethicists here in Canberra. I will admit that the sum total of these people is three; there is room for improvement.

The federal government's policy of decentralisation is another issue to consider. As far as I know, they are not considering decentralisation into space as yet, but it is important that a national space agency in Canberra should remain in Canberra, staying in close contact with related departments, research hubs and the universities that Canberra is so lucky to have, and having a positive impact on the ACT economy. I, too, agree that Canberra should be the space capital. Canberra is the anchor of our

nation's public service and we have the infrastructure to guarantee that anchorage, even in zero gravity.

**MR STEEL** (Murrumbidgee) (3.45): I rise to speak in support of Ms Cheyne's motion, which recognises Canberra as a space ecosystem, the ideal home of Australia's Space Agency. This motion recognises the incredible work happening in Australia's space industry here in Canberra, and especially at Mount Stromlo in my electorate, which is recognised throughout the world.

The Oddie telescope at the mountain's peak, which burnt down in the 2003 bushfires, was originally established at the top of Mount Stromlo in 1911 and was the first commonwealth building in the newly declared Australian Capital Territory. The observatory itself was founded by the commonwealth government as the Commonwealth Solar Observatory in 1924, long before the suburbs around Mount Stromlo were even gazetted. It is now the headquarters of the ANU Research School of Astronomy and Astrophysics, a world-respected community of researchers exploring the heavens. I was very pleased to join the Chief Minister and you, Madam Assistant Speaker, at the ANU research school at Mount Stromlo last Friday to continue to build on the legacy of that history and heritage.

On Friday the ANU Vice-Chancellor, Professor Brian Schmidt, and Professor Russell Joyce of the University of New South Wales Canberra came together to announce \$250,000 in funding towards small and medium-size businesses in the ACT space sector, as well as launching the ACT government space prospectus, our pitch to the commonwealth as to why we are the logical permanent destination for the newly formed national Space Agency.

The funding will support our local businesses to have access to the advanced equipment available at the ANU's Mount Stromlo Advanced Instrumentation and Technology Centre, which forms part of Canberra's competitive edge as a leader in space technology research and development. The \$30 million Advanced Instrumentation and Technology Centre, or AITC, at Mount Stromlo is a world-class facility for the assembly, integration and testing of space-based instruments and small satellites. According to the ANU, it includes the only space simulation facility in the southern hemisphere, known as the Wombat XL, which mimics the airlessness of space as well as the dramatic temperature changes experienced by satellites moving in and out of the earth's shadow.

The ANU works in collaboration with many companies in Australia and abroad, and we would like to see this expand with our support. The AITC is involved in a range of diverse areas: developing parts for the giant Magellan telescope in Chile, which will provide an aperture ten times greater than the satellite telescope Hubble from the earth's surface, thus providing a better picture of space than ever before.

One of the incredible collaborations at work in Canberra is the Space Environment Research Centre located at Mount Stromlo, a multinational research collaboration effort that is developing commercialising technologies to reduce the threat of space-based infrastructure from space debris. The Space Environment Research

Centre tracks space debris using lasers and is developing technology strategies to remove debris into the atmosphere or away from space infrastructure.

The government has a strong track record of supporting the space industry and innovation, which gives us a further competitive advantage for being the home of our national space industry. The government's economic diversification strategy is already working and can deliver for the ACT's economy and its residents by taking advantage of the areas we excel in. We specialise in cutting-edge fields of space law. Ms Le Couteur mentioned space ethicists, and a lot of space lawyers are required to support our nation's space industry. There are also many other supportive industries here in Canberra that will help Australia to achieve its ambitions in space.

We are also the home of our national government and overseas missions which are at the centre of public administration nationally and internationally and which will support Space Agency administration and international collaboration efforts. While Canberra does not currently support a high-volume manufacturing sector, we excel in more specialised fields of manufacturing. Our workforce is very highly skilled. We have the best science university in the nation, which is already the home to an excellent astronomy and astrophysics faculty, not to mention the impending construction of the second UNSW Canberra campus, which will augment UNSW's space division.

We are also home to the CSIRO, which recruits the nation's best scientists and whose close proximity to the national Space Agency will benefit. The location of these critical institutions in Canberra is part of the reason we have the capacity to excel in industries that are low volume and highly technical. We may not be able to send rockets to space from Canberra at a low enough cost, but we can engineer and manufacture the advanced satellites that make up their payload.

The ACT space industry goes hand in hand with the ACT government's economic diversification strategy, which seeks to draw science and tech investment to Canberra. For example, the ACT government's \$1.35 million grant to Seeing Machines in last year's budget kicked off our trial of electric vehicle technology in Canberra, drawing industry stakeholders and relevant engineers here. Likewise, provisions in the ACT government's renewable energy sourcing contracts mandate that bases of operations and workers be located in the ACT. This has helped to give the ACT a comparative technological and skills advantage over states that are only catching up with us in regard to renewable energy.

It is a joint recognition that the ACT may not be able to out-produce other jurisdictions but we can outsmart them. Indeed, the ACT is already home to a quarter of the country's total space industry jobs, so it makes sense to consolidate this with the national Space Agency being located in a field in which we have strength, rather than starting somewhere else anew, especially given that the ACT government is already actively supporting its space industry, whereas other states will only be beginning the process of grants and subsidies should they win the bidding process.

The \$250,000 package we announced last Friday is only the latest in the ACT government's support for the local space industry. We have already invested

\$375,000 towards the establishment of a space mission design facility, and a year ago the ACT signed a memorandum of understanding with the South Australian government to jointly develop our space industries, well before the federal government had made any moves in this area.

These investments are already paying off. Last September the Royal Australian Air Force and UNSW Canberra Space announced a joint \$10 million contract to build three cube satellites, reflecting the reality that most of Australia's space industry revolves around this particular expertise in building satellites, the vast majority of which will be launched by the Department of Defence and our intelligence agencies, which are also located in Canberra.

The work the Australian Space Agency will be undertaking will be primarily as a nexus body supporting and fostering partnerships, bringing government, industry and research stakeholders together to assist in the commercial growth of the industry. As well as its esteemed research institutions and the national security agencies, Canberra also houses the Department of Industry, Innovation and Science and the Department of Education and Training. The fact that the commonwealth government decided to provisionally base the agency here in Canberra before conducting the search for a permanent destination is an indicator of the fact that we are the natural choice.

Dr Megan Clark, interim head of the Australian Space Agency, who will be conducting the search for a final location, has already stated that we need to engage internationally and also coordinate nationally, and part of that activity is best to be centred on Canberra. As federal Labor Senator Kim Carr has already made clear, Canberra is the natural home for the national Space Agency. That is why federal Labor has already announced it they will base the agency in the ACT permanently.

Astronomy, astrophysics, space research and the space industry have a history in the ACT pre-dating the city of Canberra itself. We have world-leading research institutions in the field, a sizable proportion of existing space industry employment and expertise, and a territory government that has already invested time and money and is committed to the space industry. We were committed well before the Australian Space Agency was even announced. All members of this Assembly today say the Australian Space Agency's rightful home is here, and we implore the federal government to make the natural and rational choice for the agency's final home in Australia's premier space ecosystem here in Canberra. I commend the motion to the Assembly.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (3.55): I am pleased to speak in support of Ms Cheyne's motion today. I, too, acknowledge the important role Canberra has already played in the national conversation on the space industry. We have a long history of working internationally on space research and discovery. NASA have played a significant role in employment here in the ACT since the early 1960s. They have invested millions of dollars in infrastructure right here in Canberra.

The Canberra deep space communication centre has a unique history. We know that in the late 1950s, after deciding that the remote Woomera site was not ideal for deep space tracking, the search began for an alternative site. By the 1960s, the growth of the national capital was considered to be occurring at too slow a pace—not like today, Mr Assistant Speaker—and pressure was placed on the Australian government to remedy the situation. The decision was made to locate a new tracking station in the Australian Capital Territory in an effort to promote growth in the region.

The Tidbinbilla valley, 35 kilometres south-west of Canberra, was chosen due to its close proximity to our growing city, with the surrounding ridges helping to shield it from unwanted radio interference. Construction of the complex began in June 1963, with operations commencing in December 1964, in time to support the *Mariner 4* spacecraft encounter with Mars. The centrepiece of the complex was a 26-metre antenna, deep space station 42. Two years later, a crewed space flight wing was added to the complex to assist with the *Apollo* missions to the moon. Since we have already celebrated the *Apollo 11* mission and the work of Honeysuckle Creek in the Assembly, I will leave that part of our history as said.

By 1970, the CDSCC featured a power station facility to manage the sewage and water supplies, while a cafeteria and sleeping accommodation fed and housed many of the workers on the site.

During early 1969, construction started on a new antenna. At 73 metres in height and weighing more than seven million kilograms, the 64-metre antenna, deep space station 43, took nearly four years to complete. The need for such an antenna was brought about by the increasing amounts of data received and the rapidly expanding distances that spacecraft were travelling. The new antenna was more than six times as sensitive as the existing 26-metre antenna and therefore could extend the useful lifetime of a spacecraft, as its signal became weaker the further it was from the earth.

During the 1980s the *Voyager* spacecraft travelled billions of kilometres to investigate the gas giants Jupiter, Saturn, Uranus and Neptune. They were at such distances that the signals from the spacecraft would be extremely weak and require more sophisticated equipment on Earth to receive them. Consequently, in 1980 the 26-metre antenna was upgraded to become a 34-metre antenna, improving the surface of the dish and adding higher frequency receiving capabilities. Similarly, in 1987 the 64-metre antenna was upgraded to 70 metres. Even today, the 70-metre antenna is the largest steerable parabolic antenna in the Southern Hemisphere. When Honeysuckle Creek tracking station closed in December 1981, the 26-metre antenna was relocated to Tidbinbilla and renamed deep space station 46.

This year, NASA celebrates 60 years in aerospace research. For six decades NASA has led the peaceful exploration of space, making discoveries about our planet, our solar system and our universe. At home, NASA research has made great advances in aviation, helped to develop a commercial space industry, enriched our economy, created jobs, and strengthened national security in the US. I am advised by Glen Nagle from the CDSCC that there are several events marked to celebrate the milestone in October this year.

I was pleased to recently represent the Chief Minister at an Australian Youth Aerospace Association conference right here at UNSW Canberra. The AYAA conference had some 400 attendees, most from interstate, over several days, learning about career opportunities in Canberra, particularly at UNSW Canberra.

UNSW Canberra Space is a world-class team of 40 academic and professional staff, with facilities to enable end-to-end space mission capability. The team play a leading role in shaping Australia's direction and capabilities in space. We heard from the director, Russell Boyce, about the UNSW Canberra Space vision and strategic direction: to be the leading institution in space research, education and thinking in Australia and beyond, providing strategic vision and leadership underpinned by world-class research and education.

UNSW Canberra is leading innovative Australian research in space, with a capability to routinely conceptualise, develop and fly affordable, responsible in-orbit missions. These missions enable the development of innovative new technologies for spacecraft, including distributed networked experiments and sensors across formations, swarms and assemblies of cubesats.

UNSW Canberra Space plays a leading a role in the evolving conversation and thinking about space. The nation is currently experiencing a space awakening. UNSW Canberra's investment in space occurs at a time at which Australia's direction in space is beginning is to crystallise, capabilities are beginning to emerge and government policy is taking shape. UNSW Canberra Space builds on the credibility of world-class research and education, offering strategic vision and thought leadership for the Australian space community. UNSW Canberra Space advises that space systems are complex. The challenge for professionals involved in defining, acquiring, operating and/or utilising space systems is to step away from ongoing demands and duties and obtain the relevant upskilling. We have heard that UNSW Canberra offers two specialised masters programs available for both distance education and intensive delivery modes.

We heard from Director Boyce details on their work with Skykraft. Skykraft have been working on a low payload delivery of cubesats built right here in Canberra, as mentioned earlier. Skykraft will soon be testing sat-to-sat direct communications involving machine learning, which in my understanding is a first in the space industry worldwide. We also heard about miniature satellite cubesat research involving a broadening of the Jindalee over-the-horizon radar with UNSW's first launch of *Buccaneer* from the Vandenberg air force base in California. *Buccaneer* is around the size of a shoebox and will help to calibrate the Jindalee OTHR as well as provide crucial data on predicting the orbits of space objects, including space junk. Professor Boyce advised:

... to avoid collisions in space is essential if we are to safeguard the space based technologies upon which society depends.

He also said that *Buccaneer* is one of five funded spacecraft, with a further three in development, with a spend of some \$10 million in investment.

The recent announcement to locate the Space Agency in the ACT highlighted a number of associated research entities and businesses that are already working here in Canberra. These include a considerable level of private and public space infrastructure already in Canberra, including the Optus ground station in Hume; the Canberra deep space communication centre; and the national computational infrastructure supercomputer, as mentioned, at the ANU. Other infrastructure includes the advanced instrumentation and technology centre and EOS laser ranging telescope at Stromlo and the design facility and Falcon telescope at UNSW Canberra.

The ACT government continues to work with Google's Project Wing and NASA on flight algorithm and drone delivery testing in Canberra. I am confident this work will benefit the application of machine learning in flight and also advance into autonomous vehicle navigation applications later on.

Bringing together all of these agencies to promote opportunities in space research will provide a rich employment and learning opportunity here in the nation's capital. I congratulate the Chief Minister for the work he has done to promote the Australian Space Agency setting up here and I congratulate Ms Cheyne for this important motion.

**MR PETTERSSON** (Yerrabi) (4.04): I have always loved space. Rocketing into space to discover our universe is the stuff of dreams, my childhood dreams. I will admit that even now I think it is pretty cool.

For generations there have been countless exciting, amazing scientific discoveries about our universe coming from the national space agencies of the United States and Europe. What that has meant in practice is that every young kid peering through a telescope in their backyard, dreaming of a career in space, has had to realise those dreams elsewhere. It has always been a peculiarity that Australia was the only OECD country that did not have a space agency. Australia has always considered itself a pioneering country. Why have we never ventured into space or its studies as a nation?

We have finally established our own Space Agency. I would like to take a very brief moment to congratulate the federal government on establishing the agency and locating it in Canberra, at least for the first six months, as well as congratulating the ACT government for its continued work to lobby on this front.

Space and space work are not all about exploration or knowledge for the sake of knowledge. A large part of the agency's work is straight policy. But underlying policy is real scientific endeavour. Things like satellites are an integral part of our daily lives. They help our farmers monitor their crops to determine the best time to harvest. They collect weather data. They venture to the furthest reaches of our galaxy. They provide internet connection. They even provide information about our ozone layer. And I defy anyone to say they have never used GPS.

However, humans are a curious species. We often look up at the stars and wonder what else is out there. Space is the final frontier, a never-ending expanse with millions of worlds and quite likely other life forms. I am prepared to go out on a limb and call it: there is life out there. Put that one into *Hansard*. Exploration and knowledge must

be an integral aim of the Space Agency, alongside things like satellite monitoring and usage. The natural home for such an agency, focused on both technological advancement and the pursuit of knowledge, is of course Canberra.

We are the interim home of the agency, but it is clear to all involved that we should be the permanent home. First, we have the infrastructure already. Mount Stromlo Observatory is one of the finest in the world, with a globally respected community of researchers. Work conducted by Professor Brian Schmidt at the ANU national space testing facilities at Mount Stromlo led to him being awarded the Nobel Prize. Now Professor Schmidt is the vice-chancellor of the ANU and he strongly supports Canberra as the home of the Space Agency.

If the ANU facilities at Mount Stromlo and a Nobel Prize winning astrophysicist are not enough to convince the federal government that Canberra should be the home of the Space Agency, well, we have more. UNSW Canberra Space, which is Australia's largest leading space research and education team, calls the capital its home. Indeed, UNSW is expanding its footprint in Canberra, with a proposed new campus of 10,000 students with a focus on increased space research and an innovation precinct. It would make perfect sense to locate the national Space Agency near Australia's two leading universities for space research to allow collaboration and foster opportunity.

Canberra is also home to all the major commonwealth government agencies that will be important partners. Defence, foreign affairs, Attorney-General's, industry, innovation and science, CSIRO, Geoscience Australia and the NASA deep space tracking station are all located right here. We are also home to industry giants like Lockheed Martin and Northrop Grumman, as well as a host of commercial players like Geospatial Intelligence, Geoplex and Skykraft, just to name a few.

The ACT government is dedicated to ensuring that our space exploration facilities are cutting edge. After the Canberra bushfires devastated the Mount Stromlo Observatory, it was rebuilt. We have dedicated almost \$10 million over three years to support the growth of key sectors, including space. Just last week, we announced an extra \$250,000 to provide greater access for local space sector businesses to the observatory and the researchers there. We are fostering links between researchers and business to promote collaboration. Our research and our satellites can only get better by bringing these groups together.

We are, of course, prepared to work with other state and territory governments in the space sector. Canberra's leafy suburbs are not the best place to launch a rocket. Each state has its own strengths. Canberra has long acted as a fulcrum, bringing together the skills and assets from each state and using them to pursue a joint goal. We will do the same with the Space Agency, bringing robotics expertise from WA, the defence industry manufacturing of SA and the positioning and remoteness of the NT and Queensland under one agency in Canberra, harnessing their collective energy to travel into that final frontier.

The creation of the national Space Agency is a wonderful thing. We are deciding to pursue knowledge, providing jobs and scientific advancement. We should not sully this one with politicking. We are setting up an industry for Australia. We need to

make the right choice. Let us bring everyone together. Canberra is unequivocally the best location for the Space Agency. We will nurture and grow this industry, ensure it thrives in the competitive market, and provide answers for those kids staring up at the night sky and wondering what else is out there in that final frontier.

**MS CHEYNE** (Ginninderra) (4.10), in reply: The writing is on the wall. When it comes to the necessary elements to support Australia’s premier space policy agency—government partnerships, research partnerships, private investment, a skilled workforce and infrastructure—Canberra dominates. We have achieved critical mass in all of the key areas necessary to effectively conduct the Australian Space Agency. To now move the Space Agency out of Canberra would deal a significant blow to our national space industry, at a cost to its future capability right at a time when the global space industry is really taking off.

Mr Assistant Speaker, we have already demonstrated the vision and the foresight, in actively supporting our space industry in recent years, to lead us right to this point. I look forward to the future of the Australian Space Agency right here in Canberra. It simply makes sense.

Question resolved in the affirmative.

## **Multicultural framework**

**MRS KIKKERT** (Ginninderra) (4.12): I move:

That this Assembly:

(1) notes:

- (a) that the ACT is a richly multicultural territory where, according to the latest census:
  - (i) 32 percent of residents were born overseas;
  - (ii) another 14.7 percent of residents had at least one parent born overseas;
  - (iii) a non-English language is spoken in 23.8 percent of households; and
  - (iv) its residents report nearly 200 different nationalities;
- (b) that as many as one-third of the ACT’s overseas-born residents are relatively recent arrivals;
- (c) that the ACT has declared itself a Refugee Welcome Zone, making a public commitment to enhance cultural and religious diversity in the community; and
- (d) that through the “ACT Multicultural Framework 2015–2020”, the ACT Government has pledged to:
  - (i) “effectively deliver their services to people from culturally and linguistically diverse backgrounds”;
  - (ii) provide “the tools and resources for all Canberrans to reach their full potential”; and

- (iii) ensure that all can benefit from our rich and vibrant cultural diversity;
- (2) further notes:
- (a) that the Multicultural Framework’s first Multicultural Action Plan includes actions and outcomes to be achieved during 2015–2018;
  - (b) that the Multicultural Framework states that “progress on the first Multicultural Action Plan (2015–18) will be reviewed and a second ACT Multicultural Action Plan (2018–20) will be developed”;
  - (c) that the Minister for Multicultural Affairs annually tables a statement intended to “detail activities and efforts undertaken on practical efforts and outcomes in relation to the Framework”; and
  - (d) that, as noted in previous ministerial statements, a number of actions and outcomes from the Framework’s first action plan have not yet been fully achieved; and
- (3) calls on the Government to:
- (a) ensure that the 2018 ministerial statement provides a candid and detailed reporting on each and every action and outcome from all three years of the first ACT Multicultural Action Plan as listed in the “ACT Multicultural Framework 2015–2020”;
  - (b) to include in this reporting, amongst other things:
    - (i) which actions and outcomes have been fully achieved and when;
    - (ii) which actions and outcomes are in progress, what specific steps have been taken to achieve this progress and by whom, what steps still need to be completed, what obstacles and challenges have been encountered, and what the projected completion dates are; and
    - (iii) which actions and outcomes have not been progressed yet, reasons behind the delays (including what obstacles and challenges have been encountered), and projected completion dates;
  - (c) table this ministerial statement by the last sitting day of September 2018; and
  - (d) update the Assembly on what is happening with the development of the second ACT Multicultural Action Plan (2018–2020) and when this plan should be finalised.

I am pleased to move this motion today and to address this very important topic. In doing so, I speak on behalf of tens of thousands of culturally and linguistically diverse Canberrans. As I have pointed out a number of times in this place, Canberra is a wonderfully multicultural city. Thirty-two per cent of us were born overseas, according to the 2016 census, and more than half of us have at least one parent who was born overseas. And these numbers appear to be increasing.

According to the Australian Bureau of Statistics’ latest migration report, the number of arrivals of overseas migrants to the ACT in the 2016-17 financial year was the highest ever recorded, 3,960 people. Nearly two-thirds of these were students on temporary visas. But many of them will have arrived with hopes of qualifying for permanent residency at some point, and others who never previously considered that

possibility will fall in love with Canberra during their period of study and subsequent work experience and will move heaven and earth to make this place their permanent home.

Another clear indicator of how diverse Canberra's population is comes from the 2016 census. A non-English language is spoken in 23.8 per cent of the territory's households. This means that when we take walks along our residential streets, it is entirely possible that in every fourth house that we pass the people inside may not be speaking English to each other at that point in time. The range of languages that are being spoken is vast. Together, we Canberrans reported nearly 200 different nationalities in the last census. Residents with an assortment of cultures and different faiths, often speaking a multitude of languages, enrich our city.

Research has found strong positive links between culturally and linguistically diverse populations and things such as business performance, educational outcomes, technological and workplace innovation, improved decision-making, increased creativity, community resilience, economic sustainability and, of course, the simple enjoyment that comes from enjoying each other's contributions to the vibrancy of a place.

At the same time, culturally and linguistically diverse, or CALD, residents often face a unique set of difficulties. Language barriers are one of the more obvious examples. For instance, low English proficiency amongst migrant and refugee families can limit opportunities to fully engage with the broader community and interfere with access to a whole range of government, professional and community services.

Research has shown, moreover, that even CALD families that are proficient at English frequently face extra hurdles when accessing services from specialist providers or practitioners who rely on professional jargon. Residents from CALD backgrounds often struggle to know about or to understand the services that are available to them. This may be tied in with language barriers but can also reflect insufficient dissemination of information at the local level about the range of services available in their community.

Even when an awareness of essential services exists, it is likewise important that such services be tailored to the needs of different communities and provided in culturally appropriate ways. Social exclusion, inequality of opportunity and lack of social capital are just some of the other barriers often faced by our CALD residents. These barriers are widely acknowledged. It is therefore necessary to work together to address and to minimise them. Numerous multicultural community leaders and everyday Canberra residents from a number of backgrounds have shared their experiences and their desires with me over the past several years. Many of these hopes and aspirations are reflected in the ACT multicultural framework that was introduced three years ago.

Through the framework this government made a pledge to Canberrans, first, to effectively deliver services to people from culturally and linguistically diverse backgrounds; second, to provide the tools and resources for all Canberrans to reach their full potential; and, third, to ensure that all can benefit from our rich and vibrant cultural diversity. This five-year framework presents a first multicultural action plan

that includes specific actions and outcomes to be achieved during 2015-18. It is now time for progress on this first action plan to be reviewed and for a second action plan, one that covers the next two years, to be developed. To state the obvious, the successful development of the second action plan will depend in large part upon a candid and detailed report on each and every commitment in the first action plan.

We need to know what has been fully achieved, what has been progressed and what remains to be accomplished. In regard to commitments not yet fully achieved, we also need to know what steps have been taken, what obstacles and challenges have been encountered and what the projected completion dates are. This will be important for those who will help to develop the next two-year action plan. But it is also important for us, as elected representatives, to have this information as well.

Most importantly, the culturally and linguistically diverse Canberrans who currently look to this government to keep its clear commitments to them deserve to be treated with respect by being updated in this way. These residents from CALD backgrounds desire to be able to participate fully in the life of our community, including having genuine access to essential services. They have shared with me their concerns about language barriers. I have heard from community leaders that we need more information about essential services translated into more languages, especially those of new and emerging multicultural communities.

Fortunately, this is action No 4 from the first action plan. It was to have been a government priority during 2016-17. Only yesterday, however, a community leader told me that we still do not have enough of these essential translations available. I heard specifically of a local mum, a migrant, who cannot figure out how to navigate our educational system because there seem to be no materials in her language. Mr Assistant Speaker, I understand that as Canberra's multicultural communities grow and diversify this task will be ongoing. But in the meantime, our CALD residents deserve to know what has been translated so far, into what languages and which translations they can expect in the near future.

I have also been told on many occasions that we need more local interpreters who are certified to assist residents from small language communities. Again, this is a need that was identified in the first action plan from the ACT multicultural framework. This government has committed to:

Identify and support suitable people who are willing to undertake accreditation as formal interpreters to build a large pool of local interpreters.

This is particularly necessary in those languages of new and emerging multicultural community groups. This action was to have been a government priority during the last financial year. Our CALD residents deserve to know what specific efforts have been taken to keep this commitment. Do we now have more readily available onsite interpreters? If so, for which languages? And for which languages is this government currently supporting suitable candidates to undertake accreditation?

The most recent ACT government languages policy was to cover the years 2012-16. Consequently, one of the priority actions for 2015-16 was a review and refreshing of

this policy. We were told by Minister Stephen-Smith in her statement in September last year that this policy was then currently being revised. The updated policy was expected to be released by the end of 2017. As of this morning, this document still does not appear on the Community Services Directorate's website. Our CALD residents who daily face difficult language barriers deserve to be updated on the progress of this policy document.

Other concerns that have been shared with me personally involve commitments such as the promise of an online community coordinated venue booking system, which was supposed to be fully operational by 1 July 2016. As our multicultural communities grow and flourish, they are struggling to find the needed space to hold events and gatherings. This online booking system is intended to enable community groups to utilise existing government facilities across the ACT. This access is increasingly important for the continued viability of many community organisations.

Minister Stephen-Smith, in her statement last year, acknowledged that the launch of this booking system has taken longer than originally envisaged but assured the members of this Assembly, and, through us, our constituents, that the system would be completed in late 2017. It still has not come online. I think we all understand that delays sometimes occur. Our CALD residents certainly understand that delays sometimes occur. But in order for stakeholders to feel like they are valued, respected members of our community, it is essential that when delays occur candid, detailed information is forthcoming.

For example, I have heard frustration that the ACT diversity register, which was supposed to be up and running by 31 December 2015, was only launched on 1 June this year. Knowing the obstacles the creation of this register faced would go far to assuring our CALD residents that this government really does consider them and their needs as priorities.

Mr Assistant Speaker, I move this motion today on behalf of many of these residents. They have come to me with questions, good questions, and I have done my best to seek answers for them. I have done so through a number of past questions on notice, but in light of the fact that the first multicultural action plan has reached the end of its life span and that a new action plan is in the works, now is a good time to seek greater clarity from the minister.

I call upon this government not just to review the first action plan but also to provide that complete review to the members of this Assembly, and to our culturally and linguistically diverse Canberrans, who deserve to know the progress of a framework that means so very much to them. Mr Assistant Speaker, I commend this motion to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (4.25): I would like to thank Mrs Kikkert for bringing this motion to the Assembly today, and for her obvious and ongoing commitment to the multicultural community and interest in how, through the

ACT multicultural framework 2015-20, the ACT government continues to effectively support the delivery of services to people from culturally and linguistically diverse backgrounds, promote an inclusive and harmonious community, and provide genuine opportunities to assist all Canberrans to reach their full potential. I move the following amendment:

Omit paragraphs (3)(a) to (d), substitute:

- “(a) continue to update the Assembly on the progress of the implementation of the ACT Multicultural Framework through an annual ministerial statement;
- (b) include in this update:
  - (i) which actions and outcomes have been fully achieved and when;
  - (ii) which actions and outcomes are in progress; and
  - (iii) which actions and outcomes have not been progressed yet, reasons for any delay, and projected completion dates;
- (c) provide this update to the Assembly, in the form of a ministerial statement, no later than the last sitting day of 2018; and
- (d) include in this statement an update on what is happening with the development of the second ACT Multicultural Action Plan (2018–2020) and when this plan is expected to be finalised.”.

The ACT, as members would be aware, is currently home to more than 400,000 people. As Mrs Kikkert has noted, more than half of us have at least one parent born overseas, and almost a quarter live in a household where a non-English language is spoken at home.

Here in Canberra we are a proudly inclusive community, and multiculturalism is an integral part of our vibrant city. A survey of more than 1,000 Canberrans undertaken earlier this year found that 63.2 per cent of those surveyed strongly agreed with this statement: “Canberra as a community accepts people from different cultures.” Significantly, of those surveyed who identified as having a multicultural background, 94.1 per cent agreed or strongly agreed with that statement.

This acceptance and opening to multiculturalism strengthens and benefits our community greatly. People can share in, and learn from, different cultures, traditions and faiths. Food, music, dance, language and song are highlights of the National Multicultural Festival celebrated every year, and I know that members will be familiar with the many other cultural celebrations and events that happen regularly in all parts of our city.

For those Canberrans not from culturally and linguistically diverse backgrounds, there is much to learn. Bilingual education and a better understanding of cultural traditions and differences can open up opportunities for all involved. We are a stronger community for the ongoing participation of culturally and linguistically diverse Canberrans. Whether they open up businesses, engage in our schools and other educational settings, contribute to our community sector, as so many do, or contribute in a number of other ways, they offer so much to Canberra.

The ACT government, to celebrate our diversity through the implementation of the ACT multicultural framework 2015-20, did indeed commit to a range of actions and outcomes. As I have mentioned, each year the Minister for Multicultural Affairs tables a statement that details the activities undertaken on actions and outcomes under the framework. I look forward to once again updating the Assembly later this year on the continued progress that the ACT makes to support and empower Canberrans from culturally and linguistically diverse backgrounds.

In my ministerial statement last September I advised members of the range of work being undertaken against the 19 actions listed in the first action plan, covering 2015-16 and 2016-17 particularly. Progress is being made against these actions; indeed, many of the actions are complete.

My last statement was clear and candid about what had been done, and what was not completed at that time. Mrs Kikkert is right that some of the advice I received at that time was somewhat optimistic about the time frames for completing the work that was not yet done at that time. Some of that, like the diversity register, has since been completed. However, we also need to recognise that things move on year by year, that completing actions listed in a framework does not necessarily mean that our work towards creating an inclusive and welcoming community is done, and that more actions arise as we continue to consult with the community.

The ACT government continues to provide ongoing support through regular funding rounds to community organisations that work with and represent the multicultural community. In April 2018 Multicultural Employment Service was granted funding to work with other ACT and regional settlement services to provide individual case-managed employment support, enhancing services provided by Job Active and ensuring that all clients understand their work rights and entitlements. This includes refugees living in the ACT who are unable to find employment, ACT services access card holders and asylum seekers residing in the ACT on bridging visas with work rights, and people residing in the ACT from non-English-speaking backgrounds with employment entitlements who have been unable to access meaningful employment. This is, of course, one of the election commitments that was made, in relation to job brokerage support for refugees and migrants from non-English-speaking backgrounds.

Similarly, in May 2018 Migrant and Refugee Settlement Services was contracted to deliver three English language programs for refugees, asylum seekers on bridging visas and ACT services access card holders living in the ACT, fulfilling another element of that ACT Labor election commitment.

The ACT government are taking every opportunity to build on the earlier work, and we are now looking to the future, including the development of a second action plan to cover 2019-20. Noting that I will provide an update to the Assembly later this year, as per the regular practice of ministers in this portfolio, I do not intend now to detail the progress made since my last statement. But I do wish to speak on the work currently underway that will lead towards the multicultural summit to be held later this year and the development of the second action plan under the broader framework.

A community consultation process about the summit themes will soon commence, with the expert guidance of the Multicultural Advisory Council, the appointment of which fulfilled another commitment under the parliamentary agreement. I established the council last year and they already provide a platform for Canberra's culturally and linguistically diverse communities to have their issues heard and to work closely with the ACT government. Their contributions are valued and welcome.

As members would be aware, the MAC, as it is known, has been working with the ACT government to develop and deliver the 2018 ACT multicultural summit. The summit, which, as I said, will be held later this year, will identify outcomes and actions to deliver on the ACT government's social inclusion efforts across health, youth, economic development and community cohesion. Identified outcomes will inform the second action plan and positively contribute to the ACT government's vision for Canberra as a growing city.

The four themes that will be discussed and considered by the multicultural community at the summit are, firstly, Canberra, a city where diversity is valued—supporting economic development, employment and entrepreneurial outcomes for all; secondly, Canberra, a city where everyone belongs—recognising, supporting and embracing diversity; thirdly, Canberra, a healthy and accessible city—ensuring the accessibility of all services for CALD Canberrans; and, fourthly, Canberra's future—embracing the youth of today to build the future of tomorrow.

The MAC have been crucial in developing these themes, and I thank them for the advice they have provided to me to date. Following the upcoming community consultation on the ACT multicultural summit discussion papers, my 2018 ministerial statement will provide a more detailed report on the ACT multicultural framework first action plan 2015-18 and update the Assembly on progress with the development of the ACT multicultural framework second action plan.

I am proud of the progress this government has made in supporting the remarkable and talented members of our multicultural community and in planning for the future of our socially inclusive and vibrant city. In addition to an update on the summit, this ministerial statement will also provide advice on a range of actions, including how the ACT is improving access to health services for newly arrived migrants in the Gungahlin area through the Gungahlin community health centre.

I will also be sharing with the Assembly how the ACT government is capitalising on the benefits of cultural diversity by supporting migrants to launch their own business enterprises through the ACT micro credit program run by Lighthouse Business Innovation Centre. I look forward to providing further detail when I provide my report to the Assembly against the ACT multicultural framework first action plan. I am confident that significant progress against the actions developed with and for our multicultural community will be demonstrated to members at that time.

I of course remain absolutely committed to ongoing consultation with the multicultural community. I encourage Mrs Kikkert and any other members of this place who are receiving representations from the multicultural community, where they

have matters of concern that the government can address, to make us aware of those representations so that we can address those issues in a timely way.

**MR RATTENBURY** (Kurrajong) (4.36): I want to thank Mrs Kikkert for bringing this motion to the Assembly. It is always good to have an opportunity to discuss multiculturalism, because it is such a significant issue in our community, and to hear different stories and different perspectives that members bring to that and some of the issues that are out there. We all do see these things slightly differently, so I always find these debates and discussions very interesting.

I say up-front that we will be supporting Minister Stephen-Smith's amendment to the motion. We are certainly in favour of the provision of timely information about progress to the community, and the minister's amendment appropriately reflects this, in line with the reporting and evaluation requirements set out in the multicultural framework itself.

The framework is a key part of delivering meaningful actions to support multiculturalism. The high-level framework, and the multicultural action plan that sits under it, includes important community-building measures such as encouraging and facilitating the use of community facilities for cultural events as well as practical supports like better access to interpreter services, especially for those recent arrivals who have yet to build up community engagement pathways and supports.

I certainly heard the point that Mrs Kikkert made about the need for venues. This is something that I have discussed with a number of communities. Particularly as their communities get larger, finding adequate venues is increasingly challenging. This is something that we need to be aware of. I am very conscious of the fact that the wave of immigration that came to Canberra through the 60s built the clubs, which became their meeting spaces. Those opportunities perhaps are not around as much these days. I think there is a bit of creative thinking to be done regarding how we might replicate, in a modern version, what was done then. We have the Croatian Club, the Spanish Club and all of these other places. How do we enable some of our more recent communities—particularly the Indian communities, for example, but there would be others—to have similar opportunities?

The Greens have strongly advocated for the multicultural communities of Canberra to have a voice and a role in deciding on and advising the government on what is important to enable full participation in community life. That is why, as part of the parliamentary agreement, we sought to establish a community multicultural advisory board to assist with the implementation of the framework and also to convene a multicultural summit.

The Multicultural Advisory Council was established last year and has 15 members from a broad range of culturally and linguistically diverse communities in the territory, including 10 community members and representatives of five multicultural organisations. The council has already had a role in implementing the current action plan and in the planning for the summit to be held later this year. As noted in the motion, the current multicultural action plan runs out at the end of this year. I am

pleased that both the Multicultural Advisory Council and the wider community input that we anticipate from the summit will inform the actions under the next action plan.

I am certainly looking forward to the summit. There are always conversations going on and meetings being held of advisory groups and the like, but having a summit like this brings a particular focus, presents new opportunities and perhaps allows for different people to be involved than those who are involved on a more ongoing basis. I am certainly looking forward to seeing how the summit goes and the outcomes that arise from it.

We certainly believe in the community having a say on the decisions that impact on them, and appropriate resourcing to ensure that this input is informed and meaningful. I am confident that the couple of items that we put into the parliamentary agreement will play a part in that. That is not to say they are the sole mechanisms; as I touched on, there are many other fora. I know that the minister goes to many events. We all attend many events, and we do get a lot of opportunities to chat to the community. I think these particular opportunities will enhance that.

Multiculturalism and social inclusion are not just about a range of standalone actions or outcomes. They are also about the interconnectedness of the whole community. The government is a part of that community, and I am proud to be part of this progressive territory that welcomes and protects people from all walks of life, no matter where in the world they come from and no matter how they happen to be in Australia, whether it be by plane, by boat, or by the luck of their birth.

As a progressive jurisdiction and as a compassionate community, and as a member of the Greens and of this Assembly, it is a great source of pride to me personally that, firstly, we are a refugee welcome zone—I know Mrs Kikkert touched on that in her motion—and, secondly, this Assembly has unanimously supported the two recent Greens motions calling on the federal government to end inhumane offshore processing and to support asylum seekers to come to Australia through a fair and equitable community sponsorship program.

It is a great shame that, at the federal level, both major parties have turned their back on asylum seekers and that compassion and indeed our international humanitarian obligations have been pushed aside in favour of political fearmongering. The Greens will always stand by the rights of refugees, human rights, and the right to seek asylum and protection from persecution and conflict. I am proud of the fact that here in the ACT this is an issue with tripartisan support, and I think this very much reflects our community sentiment. Hopefully, we can perhaps be an example to other jurisdictions of how you can put aside some of those more fear-driven arguments, embrace some of these opportunities and take a really mature perspective on it. It certainly is great that the Assembly has been able to do that.

As I said, I would like to thank Mrs Kikkert for bringing forward the motion and giving us the opportunity to acknowledge and reflect on the valuable contribution of culturally and linguistically diverse groups in our community, and the particular needs they have. I think that very much goes with it. We often talk about their contribution

but we also need to recognise their needs. I am pleased to support this discussion today, and the amendment moved by Minister Stephen-Smith.

**MRS KIKKERT** (Ginninderra) (4.42): I thank those who have spoken in support of this motion today. I am satisfied that Minister Stephen-Smith's amendment captures her intention, and I will look forward to her ministerial statement later this year. I understand that she may wish to postpone the statement referred to in my motion until after the multicultural summit that is scheduled for November. I will be very happy to receive an invitation to participate in that summit. Considering the tripartisan support that exists in this chamber, I am sure Mr Shane Rattenbury would also love to have an invitation to that summit. Once again, I commend this motion to this Assembly.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **ACT public service—public interest disclosure**

**MISS C BURCH** (Kurrajong) (4.43): I move:

That this Assembly:

- (1) note the importance of transparency and integrity in the ACT Public Service, to protect against inefficiency and poor performance, as well as against bullying, fraud and corruption, and to support the hardworking public servants who continue to diligently serve our community;
- (2) notes that:
  - (a) as per the 2016-17 State of the Service Report, the Public Service Standards Commissioner was notified of 17 public interest disclosures, of which four were reported from the Health Directorate, and five from the Justice and Community Safety Directorate;
  - (b) reviews into similar jurisdictions' legislative frameworks found that current frameworks discourage, rather than encourage a culture of "if in doubt, report" within the workplace; and
  - (c) current methods of restitution inadequately compensate those individuals whose lives and careers have been irrevocably damaged by detrimental action as a result of making a disclosure; and
- (3) calls on the relevant Ministers to:
  - (a) explain to the Assembly why these two directorates accounted for over half of the total number of public interest disclosures reported in the ACT Public Service overall; and
  - (b) produce an ACT Public Service-wide report on current public interest disclosure legislation which would:
    - (i) be produced alongside the 2018-19 State of the Service Report; and
    - (ii) report on the effectiveness of current legislation and workplace mechanisms, including, but not limited to, employees':

- (A) knowledge of workplace reporting frameworks;
- (B) confidence in the framework in ensuring their reports be adequately heard, investigate, and an outcome ensured; and
- (C) perception of workplace “whistle-blowers” and their role in ensuring a more transparent ACT Public Service.”.

I rise today to move this motion because the values at the core of the public service in Canberra are at risk. There are four values that have characterised our public service since its creation: integrity, honesty, transparency and workplace safety.

Having spent six years in the public service prior to entering the Assembly, I cannot overstate the importance of the work our public servants and agencies do to ensure that everyday Canberrans and Australians are afforded the best services and the best opportunities to live, work and succeed. The ACT public service plays a crucial role in serving the government of the day, free from partisan influence.

However, just as the public service has a duty to provide frank and fearless advice, so too does the government have a responsibility to enable our public servants to do their jobs. A strong, apolitical, frank and fearless public service is dependent upon the frameworks that we have in place to protect those who have the courage to speak out and report wrongdoing. It is essential that those who do have the courage to speak out are not only heard but also protected and compensated. From nurses to service desk operators, bus drivers and policy analysts, the integrity and legitimacy of the public service depends on internal and external mechanisms to ensure transparency and accountability.

The Public Interest Disclosure Act 2012 exists for the purpose of facilitating public interest disclosures, or whistleblowing as it is commonly known, and protecting the people who make those disclosures. The legislation provides a framework through which PIDs are able to be made and broadly covers anyone performing a function on behalf of the ACT government using public funds, including, for example, contractors. Disclosable conduct is broadly defined to include suspected fraud, corruption, maladministration, harassment, discrimination and practices that endanger the health or safety of the environment or community. Secrecy and confidentiality provisions also exist to protect whistleblowers, and whistleblowers are protected from civil, criminal or administrative liability and reprisal.

Under the current PID act, any person who suspects misconduct is able to make an internal disclosure to an officer or minister. If the whistleblower is a public official, disclosures may be made to a manager, a member of the board or nominated officials responsible for handling PIDs. External disclosures can also be made in circumstances in which no action has been taken in relation to the suspected misconduct or there is evidence to suggest a greater number of instances of misconduct may have occurred.

However, the current legislation and framework is not working. It is difficult to navigate. Protections and compensation are not clear. All too often those receiving disclosures do not know what to do with them or how to properly proceed. Too few people are making reports, and too few reports are being investigated. Instead of

external oversight, we have a framework in which agencies are expected to investigate themselves. Instead of creating a culture of “if in doubt, report”, we have a culture and framework which seeks to minimise the number of formally recognised disclosures.

This is demonstrated in the 2016-17 ACT *State of the Service Report*, which shows that in the last year only 17 disclosures were made. Of those, only seven were referred for investigation. While there has never been an ACT-wide study into the PID procedures and outcomes, key findings from the independent review of federal disclosures as well as the numerous examples of bullying and abuse in the Health Directorate make these figures rather concerning.

Reviews of state and federal public interest disclosure legislation have shown that, of those who have made public interest disclosures, few felt that they had been supported through the process. Others felt that their disclosure had not been investigated or the relevant agency had inadequately addressed and reported the conduct.

The commonwealth review found that the experience of whistleblowers in dealing with existing legislative frameworks had not been positive: 72 per cent of respondents did not feel supported by their agency; 72 per cent did not feel as if their concerns were adequately investigated or dealt with; and 78 per cent did not feel adequately protected from potential adverse consequences.

Other reviews have also shown that a large number of whistleblowers have experienced emotional, social, physical and financial problems, and many have reported experiencing retaliation as a result of reporting their concerns.

Of the 17 reported PIDs in the past year, more than half have come from within two directorates: the Health Directorate and the Justice and Community Services Directorate. My colleague Mrs Dunne has spoken at length today about the endemic culture of workplace bullying and harassment in ACT Health and the incredibly damaging impact this is having on individuals—from the victims themselves and flowing right through the organisation to staff in her office—and the potential impacts on patient care.

A workplace culture underpinned by abuse and harassment undermines the ability of the public service to remain internally accountable. A workplace culture underpinned by consistent abuse and harassment also undermines the ability of victims to do their jobs. Every individual, every public servant who serves our government and our community, has the right to a safe and honest workplace where genuine concerns are not met with potential career-damaging threats or verbal abuse but are treated with the utmost seriousness and respect. Those individuals who have had the courage to report wrongdoing, those who keep the public service transparent and who suffer personal consequences as a result, should be adequately compensated for their courage. In all honesty, this should not be a partisan issue.

As I have said, the integrity of our public service and the ability of our public servants to do their jobs is dependent upon the openness and transparency of our public sector. Yet the Labor-Greens government have proven again, only this morning, that they do not care about protecting our public servants. They do not care about transparency,

accountability or integrity. They do not care about the lives of individuals who have been damaged as a result of making legitimate public interest disclosures.

Today I am calling on the government to produce an ACT-wide public service report on the state of public interest disclosure laws so that they can no longer ignore the facts. This report, I firmly believe, will illustrate not only the gross indifference of the government but just how dire the situation is. This report is the first step on the long road to reforming public interest disclosure laws in the territory. It is a necessary and vital step to ensure that those who have been fearful of speaking out against maladministration, corruption, bullying or harassment are not only able to have their voices heard but are also protected in doing so.

There is evidence from other jurisdictions showing that this can be an easy and simple fix. First and foremost, top to bottom cultural change is required regarding the perception of whistleblowing. We need to create a culture of “if in doubt, report” across all directorates to greatly increase not only the number of reports but also the confidence of individuals in reporting wrongdoing.

This is the culture the government must foster across our public service. Changes to whistleblowing laws federally resulted in an explosion in the number of cases being reported and regarded as public interest disclosures. It has been estimated that, following legislative changes in 2014, over 380 disclosures were made within the first six months, whilst an additional 288 reports were made that were not considered to be disclosures.

Contrast this with only 17 reports in 2017 across all of the ACT public service directorates, only seven of which were referred for investigation. The federal laws are not perfect, but we can learn from them and do better. Under the current territory legislation, disclosures are referred, investigated and handled internally by directorates. This must change. It is well documented that these internal investigatory mechanisms, having departments and directorates investigate themselves, not only create but also encourage a culture of bullying and harassment of those who have made disclosures.

An independent body able to receive, investigate and deliver outcomes would serve to reduce the likelihood of personal and professional backlash for whistleblowers. Furthermore, data from a review of federal legislation indicates that the current legislative frameworks are insufficiently focused on restitution, especially financial compensation, as a response to adverse outcomes, as opposed to criminal remedies, and are widely ineffective and inappropriate in the majority of cases.

Reforms to compensation would not only serve to reduce the instances of bullying, as a result of placing financial burdens on those accused of abuse to compensate; they would alleviate some of the stress and pain that victims experience during this difficult process. Therefore, it is vital that we start educating individuals and directorates, streamlining the reporting processes to an external agency with powers to investigate and determine outcomes, and simplifying the means by which compensation can be sought and achieved.

The government's failure to support Mrs Dunne's motion this morning demonstrates once again the reluctance of this Labor-Greens government to promote transparency and suggests that they are unwilling to protect ACT public servants. While Minister Rattenbury claimed this morning that there are sufficient mechanisms in place to address bullying in ACT Health, it is clear that these mechanisms are not working. It is blatantly obvious that individuals in this territory are deterred from making reports, a culture which, if we are to maintain a transparent and honest public sector, must change. The Labor Party, who claim to be the party of the workers, have yet again demonstrated that they are not concerned with the workers of ACT Health. If the government are at all interested in protecting ACT public servants, they will support this motion.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (4.55): I am sorry, Miss Burch, but the government will not be supporting your motion today, and I move the amendment circulated in my name:

Omit all text after "That this Assembly", substitute:

(1) notes that:

- (a) the *Public Interest Disclosure Act 2012* plays a major role in the ACT public sector integrity framework;
- (b) the Act is a best practice model for managing disclosures and protecting genuine whistle-blowers; and
- (c) its passage in the Assembly on 23 August 2012 received tri-partisan support;

(2) further notes:

- (a) the Public Sector Standards Commissioner provides effective oversight of public interest disclosure investigations and coordinates related education and training programs to ACT public servants;
- (b) the Public Disclosure Act 2012 and the Public Interest Disclosure Guidelines 2017 provide effective mechanisms to foster a pro-reporting culture within the ACT Government when misconduct is suspected;
- (c) the Public Disclosure Act 2012 and the Public Interest Disclosure Guidelines 2017 clearly articulate the protections received from reprisal that result from the disclosure; and
- (d) the Public Sector Standards Commissioner reports on public interest disclosures through the annual State of the Service Report, which includes compliance of directorates and public sector bodies with provisions of the Public Interest Disclosure Act and the number of public interest disclosures notified by directorate or public sector body;

(3) acknowledges that the Government agreed to Recommendation 78 of the Select Committee's Inquiry into an Independent Integrity Commission to appoint an independent person to conduct a statutory review of the Public Interest Disclosure Act; and

(4) calls on the Government to:

- (a) continue to have in place a robust and accountable integrity framework across the ACT Government; and
- (b) reaffirm its commitment to a review of the Public Interest Disclosure Act.”.

The ACT government has a strong and robust integrity framework with effective mechanisms to support not only transparency and accountability but the reporting of wrongdoing in the delivery of government services. The amendment to the motion I have moved outlines the Public Interest Disclosure Act 2012 as the key piece of legislation in the ACT public sector integrity framework, which is modelled on best practice. I note it received the support of all parties in this place for its passage through this Assembly, admittedly before Miss Burch was a member of this place, but all of her colleagues supported it unanimously prior to her arrival in this place.

The Public Sector Standards Commissioner has a pivotal oversight role to ensure compliance against the act, as well as coordinating education and training across the public service. The Public Interest Disclosure Guidelines 2017, in conjunction with the act, provide mechanisms that encourage a pro-reporting culture, and for those who do report serious or systemic wrongdoings there are significant protections in place.

Protection for people who make a disclosure is of utmost importance, and the Public Interest Disclosure Act provides that protection in two ways. Firstly, when a person makes a disclosure under the Public Interest Disclosure Act the disclosure is treated in the strictest of confidence. Information provided as a public interest disclosure is confidential, and it would be a breach of the act if any details or information were made available which could potentially identify the discloser. There are serious consequences for reprisals against a discloser. Under the act a person who takes detrimental action has committed an offence and can be pursued for damages in court.

The ACT government continues its commitment to an accountable and transparent government. This week I tabled the government’s exposure draft of the integrity commission bill. The amended motion I move today notes the government has agreed with the establishment of the integrity commission. A review will be conducted into the Public Interest Disclosure Act to consider the interaction between the existing oversight bodies, including the sharing of information and the referral of complaints. This is to ensure there is an efficient and effective operation of the new entity together with the existing framework.

For those reasons I commend the amendment I have moved to Miss Burch’s motion. I seek the Assembly’s support, firstly, for the review of the Public Interest Disclosure Act, as part of the announcements I have made this week, and, secondly, to note and call on the government to continue to ensure we have a robust and accountable integrity framework across the ACT government. This week has clearly seen a number of steps in that direction to ensure that such practices are part of the ACT public sector.

**MR RATTENBURY** (Kurrajong) (4.58): I thank Miss Burch for raising the issues of public interest disclosures and how the government handles them. The Greens

wholeheartedly support the ACT's whistleblower protection mechanisms in the territory in the form of the Public Interest Disclosure Act. Whistleblower protection, or public interest disclosure, is an issue we have longed advocated for in the ACT, and that is why we included it in the 2008 parliamentary agreement, which resulted in the 2012 legislation.

PID laws are a very important mechanism for public accountability and operate in conjunction with other accountability mechanisms to ensure we have a robust accountability framework. As the ACT government grows and the role it fulfils increases in complexity, it is inevitable that, as is the case for any large institution, there will be times when things go wrong. At these times we need sometimes to rely on the integrity of public servants to speak up to prevent or correct the wrongdoing, and it is important to have a scheme in place to protect those who are prepared to stand up and speak out against the wrongdoing.

Our PID scheme in the ACT is similar to those in other jurisdictions but essentially picks up on all the best elements to ensure we have the best possible scheme in the territory. The Greens believe whistleblower protection should be properly embedded in Australian workplace relations law so that the bulk of whistleblowers, who are employees, can have more effective access to appropriate remedies, including compensation, for any detriment suffered as a result of speaking up. While there has been some improvement at the federal level in recent years, we believe it could go a lot further.

In terms of Miss Burch's motion more specifically, there is always a danger in using data from just one annual report to draw a conclusion, especially as in the ACT we are often talking about very small numbers. The short answer as to why Health and JACS have higher numbers of public interest disclosures than other directorates is that these are much bigger directorates and, therefore, to some extent this might be anticipated.

Let me put it in other and more specific terms: the nine public interest disclosures in health and JACS Miss Burch refers to in her motion, and which make up just over half of the 17 PIDs in the ACT in 2016-17, come from two agencies which account for about 42 per cent of the ACT government workforce. I think that points to some sort of pro rata impact. But it is also worth noting that in the year prior—if you look at the previous annual report—there were 12 public interest disclosures and JACS and Health only made up four out of the 12, or one-third of the PIDs, so below their proportion. This speaks to many factors in the ACT, where small numbers can mean percentages can move about wildly.

Miss Burch makes at least an insinuation of a conclusion in her motion, and I do not think that insinuation can be drawn just on the data alone. It perhaps warrants further and more detailed analysis of the data if any conclusions are to be drawn on that.

The other part of Miss Burch's motion calls on the government to produce a report on the effectiveness of current PID legislation and other workplace mechanisms. Miss Burch may not be aware, because I think it was before she came to this place, but the Select Committee on an Independent Integrity Commission also looked at the PID legislation, alongside other accountability and integrity measures. To ensure all

the ACT's accountability mechanisms and offices work together to cover all areas without overlapping too much, thereby creating additional work for those offices, the committee recommended that the PID legislation be reviewed. I will read from the relevant section of the integrity commission committee report:

18.22 The Committee is of the view that the operations of the *Public Interest Disclosure Act 2012* (the PID Act) as it concerns any future ACT ACIC should be reviewed.

18.23 The Committee notes that there appeared to be no provision for a statutory review period in the PID Act which became effective 1 February 2013. Generally, statutory review periods are designed to ensure a timely evaluation of the implementation and performance against the legislation. Some statutes prescribe review periods that can range from between three to five years.

18.24 Accordingly, as the PID Act will have been operational for five years on 1 February 2018, the Committee considers that statutory review of its implementation will be timely.

The committee then went on to recommend that such a review take place. Given that introducing an integrity commission to the ACT will increase accountability and oversight mechanisms for the territory, it is important we look into these issues. The committee made a number of findings, and one was a statutory review of the act, which the government agreed to in its response to the committee. I believe this review will cover the issues Miss Burch has raised in her motion. On that basis, having reflected on the main points from her motion, I will be supporting Mr Barr's amendment, as I think that covers those points quite thoroughly.

**MRS KIKKERT** (Ginninderra) (5.04): I thank Miss Burch for bringing this motion before the Assembly today, and I wish to say a few words in support. On the matter of transparency and integrity I hope my record is clear. On many occasions I have stood in this chamber and called on this government to support transparency and integrity in many forms. I have spoken, as I did again yesterday, in favour of making important government decisions subject to external merits review. I have spoken in favour of real versus sham community consultation. I have called for accountability in decision-making. I have called on the Labor-Greens government, as I did earlier today, to provide the residents of this community with candid and detailed reporting on its public commitments to culturally and linguistically diverse Canberrans.

I suspect we all know intuitively that transparency and integrity are essential elements of good government. As Chris Field, the Ombudsman for Western Australia, has pointed out:

... there is a very strong correlation between prosperity, the rule of law, democratic institutions, respect for economic and personal freedoms and good governance hallmarked by accountability and transparency.

Unfortunately, as we saw with the Canberra resident who raised concerns about the territory's youth justice facility last year, things are often difficult for those who

reluctantly take on the role of whistleblower. Irrevocable damage to both life and career is a real threat. Our valued and hardworking public servants need to feel fully supported to raise concerns whenever they genuinely have them. We teach our schoolchildren to report anything they think might be wrong. If encouraging this kind of healthy conversation in our kids is important, why not set the example in our workplace? Public servants need to feel they labour in a safe and honest environment.

This motion makes two very reasonable requests: first, an explanation for why two ACT directorates account for a disproportionate number of public interest disclosures; and, second, for a detailed report on the effectiveness of current public interest disclosure legislation. I add my voice to Miss Burch's in calling on the relevant ministers to take these two steps. I commend this motion to the Assembly.

**MISS C BURCH** (Kurrajong) (5.07): I cannot say the government's inaction on this issue surprises me. The Chief Minister's justification that the legislation received tripartisan support six years ago is a cop-out. The commonwealth PID review recommended comprehensive reviews of the PID act every three years, and yet in the past six years we have not seen a single review. Minister Rattenbury said the data needs more analysis. Quite frankly, the lack of reviews has meant there is a lack of data to draw on here.

The mechanisms the government has claimed are already in place to protect public servants are clearly insufficient and not working. Every worker has a right to a safe and honest workplace, and public servants need safe and respectful pathways to report troubling incidents and suspected misconduct. Yet for some their choice to serve and their choice to be frank and fearless in reporting corruption, harassment and misconduct in the workplace has caused irrevocable personal damage and professional harm.

ACT Labor has lost all credibility in claiming to be the workers' party. Today we have seen their refusal to stand up for ACT Health workers and now their refusal to stand up for ACT public servants. Only last week we saw their buddies in the CFMEU labelling them as partners in crime for their inability to stand up for workers on the light rail project.

As I have said, the solution is reasonably simple: a framework that encourages a philosophy of "if in doubt, report", instead of attempting to minimise reports of suspected misconduct. That is a framework that is clear, easy to navigate and understand and that protects those that have the courage to speak out from future ramifications in the workplace. This is yet another example of how, when confronted with their own ineptitude and incompetence, the government prefer to sweep it under the rug. Why are they so unwilling to encourage people to report suspected wrongdoing, bullying and harassment in the public service? What is it they are so afraid will be uncovered?

It is time for the government to be held to account for those individuals who have been caused emotional and financial pain and turmoil as a result of the government's inaction and held to account for the dodgy deals which are yet to be exposed because

of the culture this government has played no small part in creating. Our hardworking and dedicated public servants deserve better.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Energy efficiency**

**MS ORR** (Yerrabi) (5.10): I move:

That this Assembly:

(1) notes that:

- (a) energy efficient homes provide significant health benefits to the residents of the household;
- (b) energy efficient homes lower the cost of living by reducing energy bills for households;
- (c) energy efficient homes can help reduce carbon emissions by lowering demand for energy;
- (d) the ACT remains the only jurisdiction with a compulsory home energy efficiency rating disclosure scheme, the Energy Efficiency Rating (EER) Scheme;
- (e) since the introduction of the ACT EER Scheme the tools used to measure energy efficiency have evolved; and
- (f) the ACT Government has committed to undertake a review of the effectiveness of the EER Scheme, and assess the feasibility of improving EER standards for rental properties as outlined in the Parliamentary Agreement; and

(2) calls on the ACT Government to:

- (a) finalise this review as a matter of priority;
- (b) consider as part of this review:
  - (i) the range of tools that measure energy efficiency and which one would be most suitable to the ACT scheme;
  - (ii) any amendments, additions or subtractions of inputs that should be considered under the ACT Scheme, e.g. appliances;
  - (iii) appropriate compliance measures including consideration of verification post construction;
  - (iv) the application of the EER to houses compared to apartments. The interaction between the minimum energy efficiency rating mandated in the National Construction code and the rating required for the ACT disclosure scheme;
  - (v) the most helpful information that will allow renters compare the energy efficiency of properties;

- (vi) public education that would increase the understanding of the scheme, its intentions, benefits and constraints;
  - (vii) options for how assessors are trained and monitored;
  - (viii) whether the content of the point of sale report needs updating; and
  - (ix) how best to engage and consult with industry and community in conducting the review; and
- (c) provide a report on the progress of this review to the Assembly by the last sitting day in 2018.

I move this motion today because I believe it is imperative that we continue to push ahead as a national leader of energy efficiency in homes. Far from being just buildings, our homes are a crucial contributor to our wellbeing. They are the place where we rest, relax and come together as families. We have known for a long time that the quality of our home influences the quality of our wellbeing. That is why, through planning law, we have throughout history regulated to make sure the buildings we build provide a certain living standard. For example, we have required our dwellings to have windows, minimum floor spaces, sound insulation and clean airflow.

Energy efficient dwellings continue this tradition of planning law to promote the wellbeing of people by providing people with a healthier place to live. Energy efficient homes tend to reduce moisture issues that lead to mould, leaks and condensation. That is because energy efficient homes will often provide a higher quality of internal air, a more hospitable temperature range and limit dampness. These things will all help our physical health.

International longitudinal studies of energy efficient housing developments have also indicated that residents' mental health is improved. You might wonder how an energy efficient home could impact people's mental health. But a set of researchers found that one elderly couple could now host their grandchildren more regularly as they had moved into a dry and warm low energy dwelling. There is also a sense of purpose an energy efficient house brings, with one woman in her mid-50s giving up smoking because she felt her behaviour should match that of her home. She also reduced the time she took to shower, lowered her food wastage and visited the supermarket less.

When we look at the savings, some households were able to afford bigger holidays more often and other households reported being tighter family units that were more engaged with their communities. As well as health benefits, there are significant economic benefits to energy efficiency homes. Energy efficient homes reduce energy use, creating dwellings that can be more efficiently heated and cooled and reduce the reliance of households on appliances. This offers a real return to households and lowers the cost of living. The average Australian family has an annual electricity and gas bill of around \$2,115. Modelling by Sustainability Victoria estimates that an energy efficient home can cut these costs by up to 40 per cent, an annual saving of \$850.

Annually, Australian households spend \$20 billion on energy bills. A report by the Australian Sustainable Built Environment Council found that households could save

over \$16 billion by 2030 by improving the performance of residential buildings. At a time when households are feeling the pinch of utility bills, designing houses to require less electricity has a real impact on the lives of Canberrans. The reduced need for electricity also leads to lower harmful emissions. These emissions are responsible for a range of environmental challenges locally and globally, the greatest risk being climate change. The most effective way to reduce environmental damage is to prevent it from happening in the first place. Energy efficient houses enable each of us to oblige this principle more readily.

With health benefits, financial benefits and less environmental damage, energy efficient homes offer significant improvement to our standard of living. When it comes to energy efficiency of residential buildings, the ACT stands unique among Australian states and territories as the only jurisdiction that requires dwellings to meet energy efficiency standards.

Since the ACT introduced its energy efficiency rating scheme, the tools that measure energy efficiency have proliferated, where once they were very limited. We are now in a position where there are a number of options for us to consider in respect of how we best measure the energy efficiency of a building. As part of the review that I am calling on to be finalised into the energy efficiency rating scheme, it is important that we consider the options available and consider which option is best for use in the ACT system.

The energy efficiency rating at point of sale measures the thermal efficiency of a building envelope. The scheme is based on the potential of the design to reduce energy use. This is modelled using extensive computer simulations of housing performance in the ACT climate, focusing on insulation, orientation of living areas and windows, air leakage and other design features to provide a comprehensive picture of a house's potential for reduced energy consumption.

It is certainly the case that the simplest way to reduce energy consumption is to prevent it through better design, and each of these factors remains integral to the efficient design of housing. However, it is time we ask whether this is still our preferred method of assessment. There have been many improvements to knowledge and technology in this space since the scheme's introduction and there are computer models available that better capture the design elements or the materials we are using today in energy efficient design.

Should we consider these tools that can assess appliances and behaviour and include this in the rating? Will our rating system be strengthened by revisiting the assumptions that underpin our current model? In undertaking a review into the energy efficiency rating scheme, we need to ensure that we are not missing opportunities that might improve our current system to make it more accurate and more reliable.

Canberra is unique among Australian climates as it experiences a hot summer and a cool winter. The design we require needs to work in these attributes, as does the system we use to assess the EER. Achieving energy efficiency can be determined through design, insulation, heating, cooling and appliances, and our rating system must be adaptable to each of these factors. Improving the energy efficiency of our

homes can be as simple as taking the way we do things now and ensuring that they are done correctly. We often design a home on paper without considering the way it faces on the block or what other elements might interact with it.

For example, when designing a home, energy efficiency can be optimised by ensuring that most of the windows are facing north, with one or none facing east and west, and with only a few to the south. This layout makes the most of the northerly sun in winter, which can help warm the home, while limiting the hot westerly sun penetrating in summer and allowing for cross-ventilation. Likewise, building a home where the northern sun is blocked by another structure will also limit the energy efficiency of the dwelling.

In moving ahead with our energy efficiency scheme in the ACT, it is important also to ensure that compliance measures are in place to maintain an energy efficiency rating can be reliably estimated after construction. Measures such as requiring paperwork from builders working on the site, ensuring that materials are correctly installed and that buildings are built to plan can help ensure the reliability of an EER assessment. Taking steps in this direction offers peace of mind that when you are building or buying a home you are getting the energy efficiency you are paying for.

There is also a need to consider the role of government and regulators in educating the public on the scheme. As I have outlined here today, there are myriad factors influencing the energy efficiency rating of a dwelling and many more that will not necessarily impact a rating but that will impact the energy usage in a home. For this reason, the motion calls on the review to consider how public education can improve the understanding of the scheme. As I have explained, there are a great many reasons why people benefit from the experience of living in energy efficient housing, and better education can help share those benefits more widely.

In line with the need for public education is considering how we train and monitor our energy efficiency rating assessors. Improving the oversight and skill development of assessors will also help the community's understanding of the scheme. Should the review decide it appropriate to adopt different tools or models for assessing energy efficiency, there will be further need to consider how the training and monitoring of assessors is impacted. The energy efficiency rating scheme is essentially a mandated system of information sharing.

As part of the review, there is a need to consider the information currently being provided under the scheme. Whether or not there are changes made to the assessment method, there is reason to review the point-of-sale report and to assess whether we require the most helpful information available to be provided to potential renters and buyers. The fact that research indicates there is a market forming around energy efficiency ratings would suggest there is a growing importance that the disclosure requirements are as informative as possible.

Taken together—that is, growing public education, strengthening compliance measures, adapting the assessment method to better capture the current settings and improving the information available to renters and buyers—this review has the potential to drive significant improvements to the wellbeing of all Canberrans. Given

the benefits to health—both mental and physical—communities, families and the hip pocket, a serious review of the energy efficiency rating scheme in the ACT offers the opportunity to consider reforms that would provide a genuine improvement in the standard of living for our citizens. I strongly encourage everyone to support this motion and I look forward to the ACT government progressing and finalising this review in the coming months.

**MS LE COUTEUR** (Murrumbidgee) (5.20): The energy efficiency rating scheme is a topic I am really happy to be talking about. Energy efficiency has been a focus of the Greens for decades. The EER scheme itself has been core business for the ACT Greens for a very long time. I am going to talk a bit about the work done by Kerrie Tucker in 1997 later in my speech.

I have been a member of the Australian and New Zealand Solar Energy Society, which is now called the Smart Energy Council, for around 40 years. Passive solar design and EER are something I am passionate about. The first people who lobbied me when I was elected in 2008 were local architects, and they were talking about the EER disclosure scheme. Those problems still exist. I tried to fix them in the previous Assembly, but I was advised by the planning minister at the time that this attempt would probably backfire and I could find that they were no longer in the sale of premises act. So I am very happy to hear a government MLA moving a supportive motion on an EER scheme, and I am very happy to support the motion on behalf of the ACT Greens.

While we tend to refer to a single EER scheme, there are in fact two basically separate schemes. The first is the little EER number that people see in real estate ads. That is also called the disclosure scheme. The second is the minimum EER standards that all new dwellings have to meet to get building approval.

This means there are lots of differences behind the scheme, which is part of the reason for the problems. For example, the two schemes are quite separate in a technical sense. They use different rating tools. Importantly, X number of stars in one scheme is not the same as X number of stars in the other scheme. That is because the legislation for the mandatory disclosure scheme has not been updated to the latest technologies for energy ratings, as Ms Orr alluded to. The rating score used for disclosure is a cheaper, quicker, simplified process that can be done along with the pest and building inspections in the run-up to a property being listed for sale. The rating process for new builds can be based on detailed plans of the building, which often do not exist at the point of sale for an older house.

I will now talk about the two arms of the scheme. I will start with the disclosure part of the scheme. This is where I would like to take members back to the past, to December 1997, which is when Greens MLA Kerrie Tucker presented two bills on disclosure: the Energy Efficiency Ratings (Sale of Premises) Bill 1997 and the Residential Tenancies (Amendment) Bill 1997. These two bills together would have made the disclosure of energy ratings mandatory in all advertisements for sales of residential real estate and also for all rentals.

There are many parts of Ms Tucker's speech which have proved to be spot on nearly 21 years later. She talked about the impact of climate change, which of course we are now seeing. She talked about how clean energy could be an important industry for the ACT, and that is now starting to happen. She talked about how ratings would prove to be actually quite cheap to conduct and a big benefit to people looking for a place to live, and that has come to pass, at least partly.

Sadly, one part of Kerrie Tucker's legislation did not get passed: full mandatory disclosure for rental properties. Even now, 20 years later, rentals still miss out unless there has been a rating done recently for the sale of the property. And unfortunately there is the little issue of enforcement of the disclosure provisions. Certainly from the rental point of view it is simply not enforced, as far as we can tell, although it is usually done for sale of premises.

Moving on to the new bills and the minimum standard for EERs, these only, at present, apply to newly constructed houses or houses with very significant renovations. It is partly implemented through the Building Code of Australia, which is a national document and applies to construction of all new dwellings. This produces some limitations on the actions we can take in the ACT. The Greens have been trying to improve the minimum standards for many years. Because the minimum standards only apply to new homes, Canberra's older homes have not been covered. While many owner-occupiers have upgraded their own homes over the years, often with ACT and federal government financial support, there has been a big gap for rental homes.

My Greens colleague, Mr Rattenbury, tried to address this, amongst other problems for renters, in legislation in 2011. I will quote from his tabling speech:

It is not uncommon to see an energy efficiency rating of between zero and 1½ stars for older houses in the ACT ...

... while many have had cosmetic upgrades that presumably make them easier to rent out, they still have very low EERs. Yet information supplied by the home energy audit team in 2005 indicates that lifting an EER from zero to three can halve a home's energy bill.

Sadly, the Greens were defeated on this bill. It was voted down by both the ALP and the Liberals. They got together to vote down lifting the energy efficiency of rental homes. That is one of the many reasons I am very pleased to see and hear Ms Orr moving a motion in support of the EER scheme. This is really good.

I will now move on to the current review. It is based on two parliamentary items which are agreements the Greens secured from the Labor Party in terms of our support for the Chief Minister in supply. These items are (1) a review of the effectiveness of the energy efficiency rating scheme, and (2) a regulatory impact statement into setting minimum EER standards for rental properties. There are a number of reasons why this work is necessary. I am only going to cover two of them now. I have already talked about rental properties, so I will wrap up by

acknowledging one of the challenges. This is something I have thought about at some length. If requirements are too onerous, landlords may withdraw some rental properties from the market, which would be counterproductive.

Depending on the design of the home, it can be hard to put in the kinds of improvements that are built into new homes to get them to a high star rating. It may not be possible to insulate walls in existing units which are common walls with neighbouring units. If you are in a body corporate, you may well be in the situation where it is impossible to change window orientation, and the cost of doing double glazing and possibly curtains to ameliorate the situation of a unit with a lot of poorly orientated windows is quite possibly not in any way financially feasible.

One option for this is to look at the minimum standard for rental properties possibly not ending up being a numeric rating like the other two EER elements. Possibly instead it could be a quick checklist of things that landlords must do, such as providing some sort of efficient space heating, coupled with draught proofing, and a minimum level of insulation which is appropriate to the building construction that you already have.

These are issues that will be looked at, I trust, with the regulatory impact statement into setting minimum EER standards for rental properties. It is something that really needs to be done. We talked this morning about affordable rentals. One of the issues of making an affordable rental is to have a rental property that is affordable to heat and cool. This is something that the Greens have been banging on about for a long time. Hopefully when the parliamentary agreement items are finalised we will be able to stop banging on about them and actually have some action.

I am expecting that, whatever proposal comes out of the regulatory impact statement, there will be extensive consultation so that the right balance is struck between what is achievable, quality of life for renters in older homes and ensuring that there are still affordable, rent-wise, houses in the ACT. Maybe I should not say that, because there are very few of them. Members know what I am trying to say.

The second point I want to make is about the minimum standards for new builds. These are based on a cost-benefit analysis. The other way of looking at it is a payback period. For example, if the extra cost of lifting standards by one star is, say, \$5,000 per new home, how many years would it take for the new owner to make that back in lower energy bills? A lot has happened since we last looked at upgrading to six-star energy ratings. That was part of our agreement with the Labor Party in the Seventh Assembly. That is why I remember it. The ACT was ahead of other jurisdictions in going to six stars, but we are still on six stars. Since we moved to six stars, at least two things have happened.

Firstly, energy costs have gone up a lot because of the problems with the national gas and electricity markets. We can talk at length as to why those are, but that is slightly not relevant to this. Unfortunately, energy costs have gone up significantly. Secondly, interest rates are a lot lower, which means that both of these changes are likely to support a positive cost-benefit for a higher standard of construction.

The other thing I should mention is that a lot of the relevant technology has come down in price. Ten years ago there were very few double-glazed windows for sale in Australia, even including Canberra. Now, while I cannot say it is a standard part of a new house, it is no longer totally extraordinary. There are quite a few units which are being advertised with double glazing—

**Mr Wall:** They are not properly double-glazed. They are not gas-filled argon panels. They are not highly efficient.

**MS LE COUTEUR:** I appreciate, Mr Wall, that they are at the bottom of the double-glazed, not the top, but 10 years ago we did not even have poor quality double glazing readily available. It was very much a niche market. All I am saying is that the technology for better houses has improved over the last 10 years. So there probably is a very real case for a movement from six stars up to seven stars for our minimum energy efficiency, because of all these changes.

In conclusion, I very much thank Ms Orr for bringing forward this motion, because it is really great to have support from the ALP, and hopefully soon to be support from the Liberal Party, for something that the Greens have been fighting for for ages.

**MR WALL (Brindabella) (5.33):** I will do my best to speak to this topic, given that it is not my portfolio area. It is Mr Parton's but, as many members know, he has a commitment on a Wednesday evening that he has to attend. I do share a number of the concerns that Ms Le Couteur and Ms Orr briefly touched on. But I will probably struggle to match the enthusiasm of Ms Le Couteur on the energy efficiency rating scheme. I will give it my best shot.

There are a number of issues that have long existed with the scheme, some of which have been touched on by the members who have already spoken, and that have been widely reported in the media. A *Canberra Times* article from 25 March this year—sorry, that is the wrong article. On 17 June this year an article highlighted the—I have my paperwork around the wrong way today. This is what happens when you do something at the last minute.

**Ms Orr:** Don't worry; I read the wrong speech.

**MR WALL:** It is that end of the day. The issues that exist with the energy efficiency rating scheme are not new. There have long been a number of concerns around the efficiency rating tool used for new homes, the efficiency standard that has been rightly put as part of the Building Code of Australia—in the nationally compliant code—and that that is used to rate rental properties, established properties and properties that have previously been occupied, even if they are just a couple of months old.

A rating for a new home of perhaps five, six or seven stars does not necessarily translate when the owner then goes to resell it. There is a significant concern. Often at that point in time it is the vendor who is concerned that they have spent a lot of money and invested in a highly energy efficient home only to see the number of stars, when

they go to later resell the property, disappear with no explanation. Often that equates to a loss in value.

That was well covered in an article on 17 June this year in which a University of Melbourne study examined 100,000 property sales between 2011 and 2016 in the ACT and found that in some instances buyers were willing to pay up to 10 per cent more if a property had a higher energy efficiency rating. The analysis found that homes with a five-star rating, out of a possible 10 came with a two per cent premium, while those with six stars often attracted a premium of 2.4 per cent. However, there was a much higher price paid for homes, which would be new homes, that had a seven-star rating. They had a 9.4 per cent premium. I suggest that members read into that with a bit of caution. There have been rapid increases in property values in the ACT during that period of time as well.

The issue here, though, is that when purchasers are making this decision based on purely an energy efficiency rating or a number, they should have a confidence in the scheme that that equates to something tangible. A desktop audit or a desktop measurement, which is done on new homes, does not always relate to the audit or the calculation that is done on an established property. Likewise, on established properties the assessments are not as rigorous as they are on a new home. It is very difficult for an assessor to look in a wall, see that there is insulation in there and know whether it is an R-rating of one, two, three or four for the insulation in the wall. So typically the calculation is a tick-box exercise. Does it have installation—yes or no? It does not really take into great consideration the quality of that insulation.

There has been other commentary around the lack of action by the government to address a number of these issues that have long existed in the scheme. As Ms Le Couteur has rightly said, she was raising them back in 2008. I would suggest, from a brief stint working in the real estate sector, that the issues existed back to almost as early as the turn of this century.

There also remain issues around the skill level and the qualifications that exist in the territory to conduct these reports. Often a lot of reliance is placed on the calculators. But a lack of training sometimes exists. A recent desktop audit that the government conducted between July 2016 and June 2017 randomly ordered 616 separate energy efficiency ratings and discovered a combined total of 1,264 non-compliance instances. That is an average of more than two issues per rating. It is worth also noting that that rating was a desktop rating; they did not go out and re-measure or reassess the properties. Most of those areas were in administrative decisions and not actually in the ratings scheme itself. But the underlying issue here is that there are a multitude of calculators that can be used. There are a number of issues with the way that those calculators are being applied. It is hard for a consumer to draw a correlation between the rating on one property when it is new and the rating when that property is later sold, perhaps two years later.

There is also a significant concern that Ms Le Couteur touched on which, as someone who comes from the building industry, is something that I have a lot of concern around. That is things like double glazing. Not all doubled-glazed windows are created equally. Some are very expensive while some are quite economical, but they

do not serve the same purpose. A premium double-glazed unit has thermally broken window frames; there are gas-filled glass panels that are done in a vacuum. They are obviously your premium model and so will have a really high level of energy efficiency compared to, say, two panes of glass that are just wrapped together and put in a window frame, which do not serve as good a purpose. It is a very difficult area for a consumer, particularly, to navigate.

Ms Orr's motion makes a number of statements which are hard to disagree with, as they are largely based on fact, around the benefits an energy-efficient home provides. It does touch on some of the issues but it also makes mention of, at 1(f), the government's commitment to undertake a review of the energy efficiency scheme and assess the feasibility of improving energy efficiency standards for rental properties.

It is worth noting that the regulatory impact statement that was committed to in the parliamentary agreement was due to have been completed by the end of 2017. While there has been mention of that in this debate, it leaves many members of the opposition to conclude that that is not being delivered on time. It is another broken promise by the Labor government. I am amazed that the Greens are not slightly more outraged by it, but they are, after all, partners in crime. It would be of significant concern to the opposition to see a minimum energy efficiency standard applied to rental properties and to try to dramatically increase the bar of the energy efficiency rating for new homes.

The biggest issue that we discuss in this place is housing affordability and ensuring that people can afford quality housing to live in. We have a growing homeless population in this town. Moves to mandate a minimum energy rating on rental properties will, I fear, dramatically decrease the pool of properties available for rent, reducing supply and increasing the price that people are forced to pay. So any move in this space must be made extremely cautiously—likewise for new homes. Land is the biggest underlying cost of a new home and the biggest contributor to cost growth in new homes over the last decade in this jurisdiction, adding a further pressure. By seeking to irrationally increase energy efficiency standards we would seek to price even more Canberrans or prospective Canberrans out of our local housing market. It should not be entertained if that is to be the case.

**MR STEEL** (Murrumbidgee) (5.42): I am pleased to stand in support of Ms Orr's motion today. The ACT government is proudly progressive, and we continue to look at ways that we can take responsible steps to manage climate change and to reduce greenhouse emissions throughout the territory. As Ms Orr's motion notes, we are leading the charge as the only jurisdiction with a compulsory home energy efficiency rating disclosure scheme. We have set a world-leading reduction target to reduce our greenhouse gas emissions to zero by 2050 at the latest, and we need to continue to look towards how we can best support all Canberrans to move towards smarter and more energy efficient housing solutions.

Many Murrumbidgee residents recognise the importance of protecting our environment and making our homes as energy efficient as possible. Murrumbidgee is indeed home to many of these very efficient homes. I recently spoke at Weston Creek Community Council with residents who have been building very energy efficient

homes that require very little energy to heat and cool. Some of those have been built in the wake of the Mr Fluffy demolition process, and they should be applauded for taking their innovative approach to a new build.

Recently, highly efficient homes have been showcased in the Australian government's comprehensive YourHome guide to environmentally sustainable and energy efficient homes. The guide features a residence in Curtin which is commended as best practice sustainable design and is listed as a case study for the ACT. The Curtin home takes the best opportunities of our sometimes unlucky weather conditions through installing an energy efficient hydronic heating system and use of building materials with low embodied energy and low environmental impact. These changes, and more, saw the Curtin home transform from an energy efficiency rating of 2.5 to a highly commendable 7.5 stars on the nationwide house energy rating scheme.

While some of these examples are well documented, they are not necessarily well understood by the broader community and potential purchasers and tenants. While I am certain that most people would ideally like to make cutting-edge energy efficiency improvements to their own home, these large-scale improvements are often out of reach. There are an increasing range of more cost-effective measures that can be done to provide energy bill relief. Our government has implemented the energy efficiency improvement scheme, which has seen the installation of over one million energy efficient items in households and businesses. These improvements usually consist of much smaller changes than what we are talking about today.

We also need to continue to support and strengthen the government's energy efficiency rating scheme to keep Canberra's ambitious energy policy ahead of the curve. Ms Orr's motion draws attention to the importance of continuing to improve our energy efficiency rating scheme and notes the significance of refining the scheme to better meet the needs of all Canberrans. Our rating scheme has the potential to reach out even further through the evaluation of the current scheme. There is an opportunity to re-centre and purposefully target more of our environmentally conscious population.

Our government is continually looking at ways to reduce cost of living pressures on those who are struggling. A further strengthened rating scheme would certainly take some of the financial pressures off renters by providing clear information regarding the energy efficiency of the home they intend to rent or are renting. Currently, when advertising to rent a dwelling, owners or investors must disclose the energy efficiency rating or risk a potential financial penalty of \$1,250.

While this is really important, there is more that can be done to ensure that renters are making the best possible energy-informed decisions. Educating renters, especially young Canberrans and those entering the housing market, on what these ratings mean, both financially and environmentally, is important. When entering Canberra's competitive rental market, energy efficiency ratings can be easily overlooked by both tenants and landlords in amongst the complex wave of information that must be learned and understood. As Ms Orr has suggested, the ACT government should consider actively reaching out to educate and better inform all renters on the importance of energy ratings for dwellings.

In order to strengthen the purpose of the scheme, to improve Canberrans' energy choices and continue to foster a more environmentally friendly city, we need to make it clear that these ratings are so much more than just a number at the bottom of a rental listing. As Ms Orr notes, in much the same way as we all compare energy prices, it would be fantastic to see a similar concept applied to our energy efficiency rating scheme.

It is equally important that the government looks to work with the real estate industry to ensure that disclosure measures are being consistently respected and that energy efficiency ratings are rightly advertised on all rental listings. It is disappointing that there have been some instances where landlords have not advertised their property's energy efficiency rating on all rental listings. As has been clearly outlined, energy efficient homes provide significant environmental advantages, and, of course, financial advantages as well, not just for tenants but also for landlords.

Mr Wall made reference to the Melbourne university study which has provided recent evidence that higher energy efficient homes provide improved returns. For this reason there should be incentive enough for the housing industry to embrace this scheme and energy efficient housing. Despite this knowledge, there needs to be further engagement undertaken with the real estate industry to reach an understanding on the importance of this scheme and continuing to progress the objectives of the ratings.

Lastly, as energy efficiency technology continues to evolve with innovation, so must government policy in this area. I note that Ms Orr's motion speaks to this fact. I believe that this scheme should be able to more closely align with the new technologies that are being produced in this area. We do need to continually look at our energy efficiency rating scheme.

The benefits of a solid scheme to our city are clear. As Australia's most environmentally friendly city, we should continue to re-examine the scheme so that it can continue to reach its objectives. The current scheme is a leading model, but we need to continue to seek new solutions and ways that we can strengthen the rating scheme. I believe the issues raised in this motion are important to consider, and I thank Ms Orr for bringing it forward.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (5.49): I thank Ms Orr for her motion and for the opportunity to talk about this important project. The ACT has a history of pioneering energy efficiency initiatives. It was one of the first jurisdictions to introduce energy efficiency standards for houses and apartments, in 1992. This was 11 years before standards for houses were introduced into the national building code and 13 years before national standards for apartments.

The ACT scheme to advertise energy efficiency ratings and provide energy efficiency information about a property to potential purchasers and renters came into effect in 1999. It is one of the first in the world and remains the only scheme like it in Australia. There have been national projects over the years to roll out schemes similar to the

ACT's. The first one was in 2004. Although the scheme had been running for five years at that time, the ACT's legislation was referred to as a pilot, a test scheme, before introducing it elsewhere. Apparently, even now, some people still call it a pilot.

The ACT's energy efficiency disclosure scheme is not a pilot; it is a legislated scheme for the benefit of people looking to live in the territory. The main objective of the scheme is to provide information to help people make informed decisions, and it does achieve this. Independent studies from the Australian Bureau of Statistics and the University of Melbourne show that the energy rating can influence decisions at sale and lease. The studies show that if two properties otherwise have the same features, the one with the higher energy rating is likely to get a higher price.

That does not mean that all properties with higher ratings will have higher prices or will be more attractive to buyers and renters than all properties with lower ratings. There are other factors that renters and purchasers take into account when making their decisions. But studies show that for many people the energy rating is a consideration in what they purchase or rent and how much they pay for it. So it is important that we make sure people get the best information to make their decisions and that the scheme remains useful into the future.

The reason the studies I mentioned were possible is because of the length of time the scheme has been running, with minimal change. It has allowed the territory to be a unique case study for research. However, the government is reviewing the scheme so that it will continue to provide the best information possible to support prospective buyers and renters.

Some things in the scheme will need to change. The software we have used since the beginning of the scheme is not going to be technically viable into the future. It has limitations that we cannot reasonably overcome. I know some people listening will be astounded that anyone could be using technology from about a decade ago, but the simple fact is that it has been effective and very useful. But we do need to evolve the system to meet new community expectations. We are taking the opportunity to look at the scheme afresh and make some changes where we need to.

The review is one of the priority policy projects for building system projects that we are undertaking, along with building regulatory reforms. Ms Orr's motion lists a number of areas that the review should investigate. In addition to these, the review will include assessing the scheme against its original objectives and in the current policy landscape. It will also cover the legislative, administrative and technical components of the scheme.

There are a few things I would like to clarify about the current scheme and the review. The first is how the scheme applies to rental properties. I know there are concerns that people are not disclosing ratings for rental properties when they should. While it is true that a lot of homes have been rated at one point or another, it is not the case that just because a property had a rating five years ago it must be disclosed. The rating must also be current, valid and complete. This is to prevent misleading ratings from being disclosed. Because things in and around the building do change over time, ratings have to be up to date for the scheme to provide useful comparisons.

We know that people renting their homes have just as much interest in energy efficiency information as people buying their homes. We previously undertook regulatory impact analysis on expanding the scheme to require all rental properties to disclose the current rating. It identified that the current rating provides limited useful information for tenants. It recommended that the scheme was not expanded in its current form.

The review is looking at options for applying the scheme to all rental properties in the territory and the type of information of most relevance to tenants. The review is also looking at compliance with disclosure requirements. When the current scheme was established there were not the same levels of community expectation or priority placed on these objectives. The current review is considering these.

The interaction with building standards can also be confusing. When the scheme first started there were no national building energy standards. The same rating tool was used for compliance with standards for new homes and for assessing existing homes for disclosure. Energy ratings for new homes were mandatory. The older standards and the energy ratings for sale and lease were all communicated under the banner of the ACT house energy rating scheme, or ACTHERS. ACTHERS was also the name of the first rating tool used in the ACT.

Since 2003 new building standards have been set under the national building code. While the current standard for houses is often referred to as “six star”, building standards have not mandated an energy rating for a long time. The code sets an overall standard and allows multiple methods of showing compliance. The energy rating pathway is only one way. Having a six-star-rated house also does not mean you comply with the code’s energy efficiency standards. The code also includes separate efficiency standards for air conditioners, lighting, water heaters and other equipment, and these are not included in the rating.

Since 2009 the building code has used different energy rating software. There are three nationally accredited software tools, not a single tool. The tools are configured for accessing new homes and they require a lot of detailed information to produce the rating. They include assumptions that do not apply to older homes. This means they are not necessarily suitable for assessing and comparing existing homes. There may be other changes in the future to these tools that make them different to what we want for existing homes. For example, one type of rating may include lighting energy use while the other does not. Some standards may not align with the rating system, and there may be good reasons for this.

Although we are looking at the interactions between the two systems, we have to remember the ACT’s rating disclosure system is unique. National tools for building standards will not necessarily be developed with this in mind. The review is considering how information from an assessment of a new building can be more easily used for future assessments of the building and communicating any differences between rating methods and systems. The review is not looking at the effectiveness of building energy efficiency standards and rating software used in the building code; they are not part of the energy rating scheme in the same way they once were. There

is other work that the ACT is undertaking, and work we are participating in under the national energy productivity plan to review them.

The final thing is the tool itself. There is often a lot of discussion about tools and ratings. They are definitely a critical component of the scheme, but they are not the first consideration. The first thing is to decide what we want to assess and communicate. We can then decide the most appropriate way of doing that. When the scheme first started there was only one real option. The scope of that was included in the rating and how the ratings were calculated was limited by the available tool—so the scheme had to fit the tool. We are not so constrained now and we can consider including and communicating other things so that the tool fits the scheme. Whatever tool we choose, we will be developing a transition plan.

The review is well underway. It is a very detailed piece of work, but I am confident we are working through all of these issues to determine the best scheme for the ACT into the future. I am looking forward to hearing the community's views on the scheme and how we can improve it when we undertake the public consultation later this year.

**MS ORR** (Yerrabi) (5.58), in reply: Briefly, as it is two minutes to six, I note that it seems we have tripartisan support for a review in this area, which is great. I almost think we could start a tripartisan “Appreciation of Glazing Club”, from the debate we have just had. I think everything has pretty much been canvassed in the debate—the different systems we use to measure energy efficiency, and the fact that we need education so that people know what they are getting.

I would like to make the point, though, that passive house design is different from energy efficiency. Maybe that is one area where we can do a bit better in making people more aware. Also, the energy efficiency of a dwelling will change over time, particularly based on its upkeep. We had quite a bit of discussion, too, about affordable rentals. We need to make sure that we balance not just the rental cost but also the operational cost of that building, and energy efficiency will continue to be a part of that discussion. In summary, I am glad to hear that we have so many people appreciating the energy efficiency of our buildings.

Question resolved in the affirmative.

## **Government Agencies (Land Acquisition Reporting) Bill 2018—in-principle debate Statement by Speaker**

**MADAM SPEAKER:** Mrs Dunne asked me to come back with a ruling on Mr Gentleman. I should have done this earlier in the day. You will still have a half hour in the adjournment debate. This morning, after the introduction of the Government Agencies (Land Acquisition Reporting) Bill 2018, Mr Gentleman rose to seek the call to speak and indicated that, before moving a motion to adjourn, he wished to make a few remarks. Standing order 171 states:

When a bill has been presented, the Member shall move, “That this bill be agreed to in principle” and the debate on the question shall then be adjourned to a future day on the motion of another Member.

There is no scope for any debate to proceed on the bill until a later sitting of the Assembly, Mr Gentleman. In his remarks, Mr Gentleman noted comments in Mr Coe's speech. He stated, "Contrary to comments made in the speech," before being asked to resume his seat. If there were remarks made during Mr Coe's speech that Mr Gentleman thought were not correct, there were other avenues through standing orders 46 or 47 that could have been utilised, or a member may seek leave to make a separate statement to the Assembly.

Mrs Dunne then asked me whether Mr Gentleman had been speaking to the bill and whether this meant that he would need to seek leave to speak to the bill when it came back to the Assembly. As there is no scope for the bill to be debated after it has been introduced, Mr Gentleman cannot have been speaking to it. He will have the normal time allocated to him, should he seek the call, when the debate resumes on the bill at a future date. But it is good practice to follow the rules of engagement.

## Adjournment

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

## Australia Colombia Friendship Association

**MRS KIKKERT** (Ginninderra) (6.01): July 21 is the winter solstice, the shortest, darkest day of the year and often one of the coldest. This year it was also the date on which the Australia Colombia Friendship Association, in collaboration with the Embassy of Colombia in Australia, hosted a celebration in honour of Colombia's Independence Day, which actually occurred one day earlier.

Let us just say it was decidedly not dark or cold inside the church hall that served as the venue for this colourful event. Colombia is rightfully known as one of the most visually vibrant countries in the world. A simple Google image search for Colombia brings up thousands of images of houses with brightly painted buildings and multicoloured doors. These photos come from a number of Colombian cities and towns, though one *Lonely Planet* writer has suggested that the small town of Guatapé may be the most colourful town in the entire world.

Though not reflected in the actual architecture, these beautiful colours of Colombia were on full display at the Independence Day celebration that it was my privilege to attend. Amazing traditional dances, for example, were performed by members of the Momposina Colombian dance group, arrayed in stunning multicoloured clothing, accompanied by enchanting music performed by Mi Hermano y Yo.

Lending a different kind of colour to the night was the fact that the entire event was emceed in Spanish. I did not understand much of what was said, but my guest and I certainly enjoyed ourselves immensely. Topping off the evening was tasty and again colourful food and drink, including Colombian chorizos, bunuelos and almojabanas. My favourite refreshment was a beverage made from a native South American fruit

called guanabana in Spanish, soursop in English. I could not get enough of this delicious drink. Other guests clearly felt the same way too, as it was the first one to sell out.

I wish to publicly express my thanks to the Australia Colombia Friendship Association and the entire ACT Colombian community for working so hard to share with us what is intimately personal and important to them. I would also like to thank Giovanni Cano, president of the association, for kindly inviting me to participate at this fantastic event. Many thanks as well to Mexico Lindo Canberra; to Kokoloco and its director, Becky Fleming; the photographer Maria Koulouris; to Raul, Mary, Rocio, Sandra and Adrian for the wonderful food and drink; to Maria and Claire Ocana, the “wonder twins”; to Yasmin, Vidal, James, Sylvain and Priscilla; and to all the volunteers who helped with both set-up and clean-up. I can say with all sincerity that I love Colombian heritage and culture. Gracias, my Colombian amigos. That means thank you, my Colombian friends.

### **Trashmob**

**MS ORR** (Yerrabi) (6.05): I rise this evening to highlight the great work being done by one of our local community groups, Trashmob Canberra. Trashmob is a volunteer-run initiative that hosts clean-up events across the ACT, with the goal of keeping litter out of our suburbs. Not only does their work make our suburbs look cleaner but it also makes our environment healthier and safer for families and our local wildlife. We are lucky in the ACT to have such a beautiful natural landscape and clean environment. However, as our city grows, dealing with the waste and litter created by an increasing population is a challenge we continue to face.

Trashmob’s approach of hands-on environmentalism has given the Canberra community a fun and easy way to help us address this challenge. Their growing base of supporters and volunteers have already made a significant difference to our local environment. They have increased the Canberra community’s awareness of the impact of waste and littering and opened up the conversation to help educate people on waste reduction.

Trashmob started as an individual effort by founder Maddie Diamond to clean up her local environment. As an individual, cleaning up the litter of a whole city is an insurmountable task. Instead, Maddie decided to gather a group of people who shared her concern for the environment. Trashmob now has a base of around 100 supporters and they are able to run successful events every couple of weeks. Together they are making a visible difference to our local environment and having fun in the process.

I recently got to see the power of the Trashmob collective when I invited them to co-host a clean-up with me in Moncrieff. Moncrieff is a new suburb in my electorate, but due to the mismanagement of waste from some private construction sites, it is not as clean as one might hope. While I was in the process of pushing for a long-term and permanent solution to the rubbish from the building sites, there was cleaning up to be done. Even with the cold and windy weather, volunteers from both Trashmob and the Moncrieff community turned out to help clean up the suburb.

I would like to thank everyone who was able to come along on the day. We managed to clear several bags of rubbish from Dawson Park and its surrounding land. We picked up plenty of polystyrene and plastic that had blown into the park from the construction sites throughout the suburbs, as well as glass bottles and cans discarded by passers-by. Much of the litter we gathered was non-biodegradable, with the risk that it might have been part of the local environment for centuries to come. The group was able to create a cleaner and safer park for the people of Moncrieff. It was amazing to see the scale of the impact that the collective could make on the local environment. We were also encouraged to receive the support of the Moncrieff community.

While Trashmob has shown its commitment to fixing Canberra's litter problem, its founder, Maddie, has also spoken out about the importance of the prevention of littering. Along with clean-ups, the collective strives to educate people on the effects of single-use plastic on the environment. I took part in Plastic Free July last month. I learned just how difficult it is to buy things, especially food, without it being wrapped in single-use plastic.

Trashmob urges their community to advocate for the reduction of single-use plastic in the manufacturing process. Their hope is that this will ultimately stop the litter from reaching our streets and waterways and polluting our local environment. With their sights set on large-scale change, it is a hopeful goal that groups like Trashmob will not have to do the dirty work of cleaning up our suburbs forever. In the meantime, Maddie and Trashmob Canberra continue to make a significant difference to the cleanliness and environmental health of our city. I would like to thank Trashmob for their substantial contribution to our community. I look forward to joining them once again in my electorate of Yerrabi.

### **Trashmob Women's reproductive rights**

**MS CHEYNE** (Ginninderra) (6.08): I take a brief moment to echo Ms Orr's comments about Trashmob. Trashmob has done a few clean-ups in Belconnen. I first became aware of them when they stumbled across a few of my corflutes almost two years after they had been ripped out of the ground and stashed somewhere in Jamison. They are now safely back in my possession. I joined them a few weeks ago, down off Macdermott Place, near Lake Ginninderra. I must say they are doing a fantastic job.

Something equally serious but more with regret is that today I bring to the Assembly's attention an anniversary. Tomorrow marks one year since the opposition revealed it has no policy platform on women's reproductive rights. Mr Coe said at the time that "the Canberra Liberals treat women's reproductive rights as a conscience issue". Through you, Madam Speaker, I think I need to remind Mr Coe that women's rights are human rights. It is appalling, and it remains appalling, that a so-called alternative government does not have a policy view on issues that affect 50 per cent of the population. For a party that was all about "for all Canberrans", this is very hypocritical.

If a Liberal government were ever elected, would it be up to the individual health minister—his personal point of view, heaven forbid—whether or not to re-criminalise abortion? A year ago we asked Mr Coe to reassure the Canberra community that this would not be the case. A year later we are still waiting.

Madam Speaker, you and I know that the Liberal Party prides itself on supporting individual freedoms and responsibilities. It follows, then, that they should absolutely be supporting a woman's right to choose as a policy platform, leaving a decision up to each individual woman in the ACT community rather than up to whoever they might choose to be their health minister. I encourage them to reflect carefully on their continued hypocrisy.

It has been a year and that is long enough. The opposition leader needs to reassure women of Canberra that this entire Assembly—not just Labor, not just the Greens, not just the government—respects them as autonomous individuals who are capable of making their own decisions about their own bodies, supports those women who make the difficult decision to terminate a pregnancy and recognises that a woman deserves to be treated with dignity and respect when she accesses abortion services, because her decision is no-one else's business. These principles are not conscience-based; they are principles. Their applicability in our community should not be left to the personal views of individuals opposite.

Back in 2002, when legislation decriminalising abortion was passed, Wayne Berry said that we had to be vigilant about protecting well into the future any gains that were made at the time. Given that it has now been a year since the opposition revealed that it has no policy platform on women's reproductive rights, it is more important than ever that members in this place continue to be vigilant.

### **Professor Patrick Troy—tribute**

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (6.12): The ACT government pass on our condolences to the family and friends of Professor Patrick Troy, who passed away suddenly at the end of July. Professor Troy was an active voice in the professional planning sector and community, with an extensive background as an engineer, town planner and public servant.

Professor Troy carried a passionate voice and challenged ideas about the vision for Canberra. He was a true advocate for the future of our city. With his background in planning, as well as housing, infrastructure, transport, urban planning and development, he was always willing to challenge governments of all persuasions on how to balance urban growth and sustainability even before it became a mainstream consideration. He was also a passionate advocate for social justice.

The vision set out in the Walter Burley Griffin and Charles Weston eras was an important element and long-term vision that Professor Troy championed for the territory to maintain. More closely related to the public sector, Professor Troy was a

member of the 1995 board of inquiry to the administration of leasehold in the ACT and a member of the ACT Planning and Land Council from 2003 to 2006. Most recently he was Emeritus Professor and Visiting Fellow at the ANU Fenner School of Environment and Society, Adjunct Professor at Griffith University and Visiting Professor at the City Futures Research Centre, UNSW Built Environment.

I publicly thank Professor Troy for his contribution to government and community that provided thought-provoking ideas to developing pathways to sustainable, equitable and living cities, including Canberra.

Question resolved in the affirmative.

**The Assembly adjourned at 6.15 pm.**